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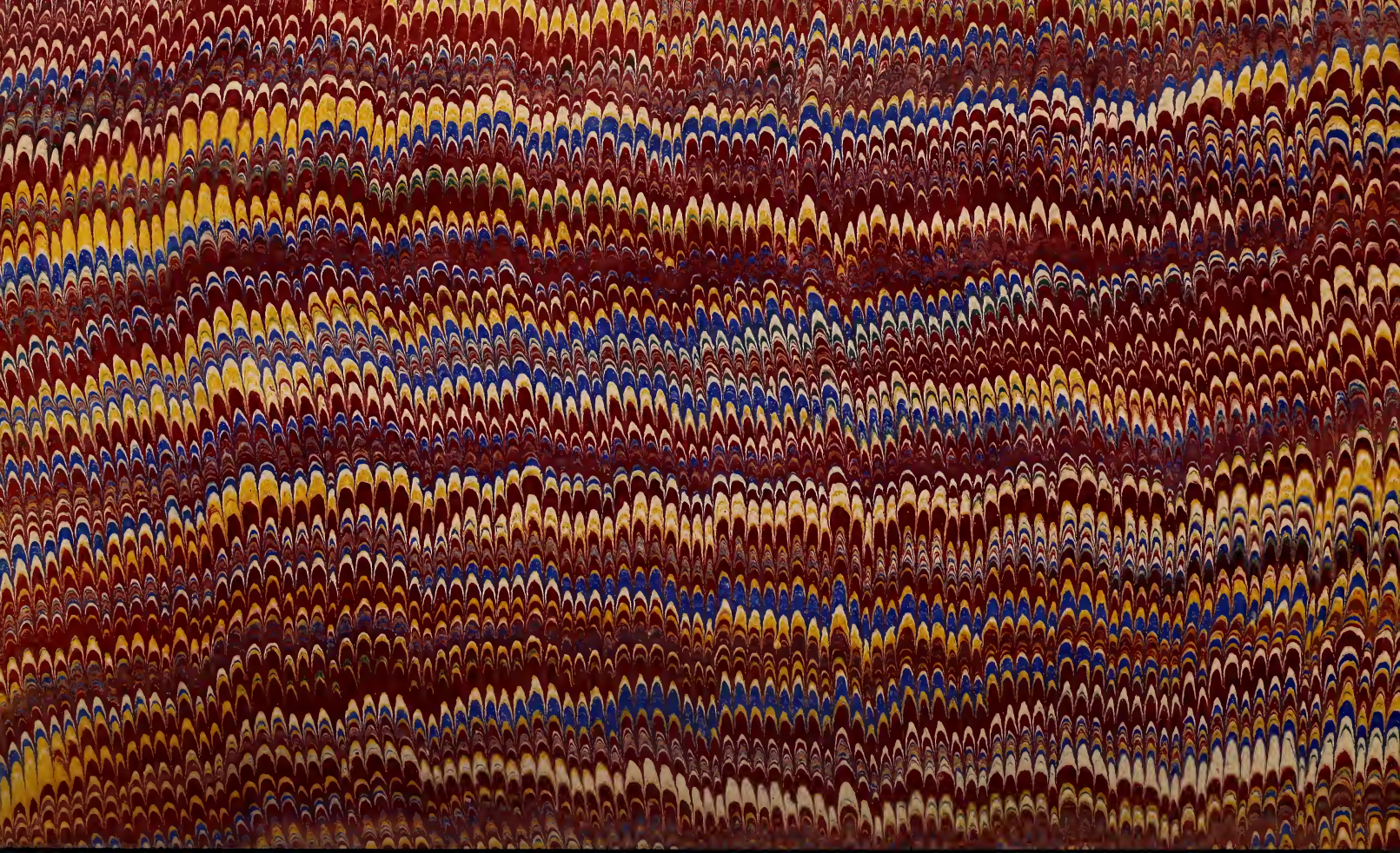

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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

AT THE

COMMENCEMENT OF THE SECOND SESSION

OF

THE FIFTEENTH CONGRESS.

NOVEMBER 17, 1818.

Read, and committed to a committee of the whole House, on the state of the Union.

WASHINGTON:

PRINTED BY E. DE KRAFFT.

1818.

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MESSAGE.

Fellow-citizens of the Senate
and of the House of Representatives.

The auspicious circumstances under which you will commence the duties of the present session, will lighten the burden inseparable from the high trust committed to you. The fruits of the earth have been unusually abundant: commerce has flourished; the revenue has exceeded the most favorable anticipation, and peace and amity are preserved with foreign nations, on conditions just and honorable to our country. For these inestimable blessings, we cannot but be grateful to that Providence which watches over the destinies of nations.

As the term limited for the operation of the commercial convention with Great Britain will expire early in the month of July next, and it was deemed important that there should be no interval, during which that portion of our commerce, which was provided for by that convention, should not be regulated, either by arrrangement between the two governments, or by the authority of Congress, the minister of the U. S. at London was instucted, early in the last summer, to invite the attention of the British government to the subject, with a view to that object. He was instructed to propose, also, that the negotiation which it was wished to open, might extend to the general commerce of the two countries, and to every other interest and unsettled difference between them; particularly those relating to impressment, the fisheries, and boundaries, in the hope that an arrangement might be made, on principles of reciprocal advantage, which might comprehend, and provide, in a satisfactory manner, for all these high concerns. I have the satisfaction to state, that the proposal was received by the British government in the spirit which prompted it, and that a negotiation has been opened at London, embracing all these objects. On full consideration of the great extent and magnitude of the trust, it was thought proper to commit it to not less than two of our distinguished citizens, and, in consequence, the envoy extraordinary and minister plenipotentiary of the United States at Paris, has been associated with our envoy extraordinary and minister plenipotentiary at London; to both of whom corresponding instructions have been given; and they are now engaged in the discharge of its duties. It is proper to add, that, to prevent any inconvenience resulting from the delay incident to a negotiation on so many important subjects, it was agreed, before entering on it, that the existing convention should be continued for a term not less than eight years.

Our relations with Spain remain nearly in the state in which they were at the close of the last session. The convention of 1802, providing for the adjustment of a certain portion of the claims of our citizens for injuries sustained by spoliation, and so long suspended by the Spanish government, has at length been ratified by it; but no arrangement has yet been made for the payment of another portion of like claims, not less extensive or well founded, or for other classes of claims, or for the settlement of boundaries. These subjects have again been brought under consideration in both countries, but no agreement has been entered into respecting them. In the mean time, events have occurred, which clearly prove the ill effect of the policy which that government has so long pursued, on the friendly relations of the two countries, which, it is presumed, it is at least of as much importance to Spain, as to the United States, to maintain. A state of things has existed in the Floridas, the tendency of which has been obvious to all who have paid the slightest attention to the progress of affairs in that quarter. Throughout the whole of those provinces to which the Spanish title extends, the government of Spain has scarcely been felt. Its authority has been confined almost exclusively to the walls of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventures from every country, fugitives from justice, and absconding slaves have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity, and whose settlements extend to our limits, inhabit those provinces. These different hordes of people, connected together, disregarding, on the one side, the authority of Spain, and protected, on the other, by an imaginary line, which separates Florida from the United States, have violated our laws prohibiting the introduction of slaves, have practised various frauds on our revenue, and committed every kind of outrage on our peaceable citizens, which their proximity to us enabled them to perpetrate. The invasion of Amelia Island, last year, by a small band of adventurers, not exceeding one hundred and fifty in number, who wrested it from the inconsiderable Spanish force stationed there and held it several months, during which, a single feeble effort only was made to recover it, which failed, clearly proves how completely extinct the Spanish authority had become; as the conduct of those adventurers, while in possession of the island, as distinctly shows the pernicious purposes for which their combination had been formed.

This country had, in fact, become the theatre of every species of lawless adventure. With little population of its own, the Spanish authority almost extinct, and the colonial govenments in a state of revolution, having no pretention to it, and sufficiently employed in their own concerns, it was in a great measure derelict, and the object of cupidity, to every adventurer. A system of bucanneering was rapidly organizing over it, which menaced, in its consequences,

the lawful commerce of every nation, and particularly of the United States; while it presented a temptation to every people, on whose seduction its success principally depended. In regard to the United States, the pernicious effect of this unlawful combination, was not confined to the ocean. The Indian tribes have constituted the effective force in Florida. With these tribes, these adventurers had formed, at an early period, a connection, with a view to avail themselves of that force, to promote their own projects of accumulation and aggrandizement. It is to the interference of some of these adventurers, in misrepresenting the claims and titles of the Indians to land, and in practicing on their savage propensities, that the Seminole war is principally to be traced. Men who thus connect themselves with savage communities, and stimulate them to war, which is always attended, on their part, with acts of barbarity the most shocking, deserve to be viewed in a worse light than the savages. They would certainly have no claim to an immunity from the punishment, which, according to the rules of warfare practised by the savages, might justly be inflicted on the savages, themselves.

If the embarrassments of Spain prevented her from making an indemnity to our citizens, for so long a time, from her treasury, for their losses by spoilation, and otherwise, it was always in her power to have provided it, by the cession of this territory. Of this, her government has been repeatedly apprized, and the cession was the more to have been anticipated, as Spain must have known that, in ceding it, she would, in effect, cede what had become of little value to her, and would likewise relieve herself from the important obligation secured by the treaty of 1795, and all other compromitments respecting it. If the United States, from consideration of these embarresments, declined pressing their claims in a spirit of hostility, the motive ought, at least, to have been duly appreciated by the government of Spain. It is well known to her government that other powers have made to the United States an indeminity for like losses, sustained by their citizens at the same epoch.

There is, nevertheless, a limit, beyond which this spirit of amity and forbearance can, in no instance be justified. If it was proper to rely on amicable negotiation for an indemnity for losses, it would not have been so to have permitted the inability of Spain to fulfil her engagements, and to sustain her authority in the Floridas, to be perverted, by foreign adventurers and savages, to purposes so destructive to the lives of our fellow-citizens, and the highest interests of the United States. The right of self-defence never ceases. It is among the most sacred and alike necessary to nations and to individuals. And, whether the attack be made by Spain herself, or by those who abuse her power, its obligation is not the less strong. The invaders of Amelia Island had assumed a popular and respected title, under which they might approach and wound us. As their object was distinctly seen, and the duty imposed on the executive,

by an existing law, was profoundly felt, that mask was not permitted to protect them. It was thought incumbent on the United States to suppress the establishment, and it was accordingly done. The combination in Florida, for the unlawful purposes stated, the acts perpetrated by that combination, and, above all, the incitement of the Indians, to massacre our fellow-citizens, of every age, and of both sexes, merited a like treatment, and received it. In pursuing these savages to an imaginary line, in the woods, it would have been the height of folly to have suffered that line to protect them. Had that been done, the war could never cease. Even if the territory had been, exclusively, that of Spain, and her power complete over it, we had a right, by the law of nations, to follow the enemy on it, and to subdue him there. But, the territory belonged, in a certain sense, at least, to the savage enemy who inhabited it; the power of Spain had ceased to exist over it, and protection was sought, under her title, by those who had committed on our citizens, hostilities which she was bound by treaty to have prevented, but had not the power to prevent. To have stopped at that line, would have given new encouragement to these savages, and new vigor to the whole combination existing there, in the prosecution of all its pernicious purposes.

In suppressing the establishment at Amelia Island, no unfriendliness was manifested towards Spain, because the post was taken from a force which had wrested it from her. The measure, it is true, was not adopted in concert with the Spanish government, or those in authority under it; because, in transactions connected with the war in which Spain and the colonies are engaged, it was thought proper, in doing justice to the United States, to maintain a strict impartiality towards both the belligerent parties, without consulting or acting in concert with either. It gives me pleasure to state, that the governments of Buenos Ayres and Venezuela, whose names were assumed, have explicitly disclaimed all participation in those measures, and even the knowledge of them, until communicated by this government, and have also expressed their satisfaction that a course of proceedings had been suppressed, which, if justly imputable to them, would dishonor their cause.

In authorizing major general Jackson to enter Florida, in pursuit of the Seminoles, care was taken, not to encroach on the rights of Spain. I regret to have to add, that, in executing this order, facts were disclosed, respecting the conduct of the officers of Spain, in authority there, in encouraging the war, furnishing munitions of war, and other supplies, to carry it on, and in other acts, not less marked, which evinced their participation in the hostile purposes of that combination, and justified the confidence, with which it inspired the savages, that, by those officers they would be protected. A conduct so incompatible with the friendly relations existing between the two countries, particularly with the positive

obligation of the 5th article of the treaty of 1795, by which Spain was bound to restrain, even by force, those savages, from acts of hostility against the United States, could not fail to excite surprise. The commanding general was convinced that he should fail in his object, that he should in effect accomplish nothing, if he did not deprive those savages of the resource on which they had calculated, and of the protection on which they had relied in making the war. As all the documents relating to this occurrence will be laid before Congress, it is not necessary to enter into further detail respecting it.

Although the reasons which induced major general Jackson to take these posts were duly appreciated, there was, nevertheless, no hesitation in deciding on the course which it became the government to pursue. As there was reason to believe that the commanders of these posts had violated their instructions, there was no disposition to impute to their government a conduct so unprovoked and hostile. An order was in consequence issued to the general in command there, to deliver the posts; Pensacola, unconditionall, to any person duly authorized to receive it; and St. Marks, which is in the heart of the Indian country, on the arrival of a competent force, to defend it against those savages and their associates.

In entering Florida to suppress this combination, no idea was entertained of hostility to Spain, and, however justifiable the commanding general was, in consequence of the misconduct of the Spanish officers, in entering St. Marks and Pensacola, to terminate it, by proving to the savages and their associates, that they should not be protected, even there; yet the amicable relations, existing between the United States and Spain, could not be altered by that act alone. By ordering the restitution of the posts, those relations were preserved. To a change of them, the power of the executive is deemed incompetent. It is vested in Congress only.

By this measure, so promptly taken, due respect was shown to the government of Spain. The misconduct of her officers has not been imputed to her. She was enabled to review with candor, her relations with the United States, and her own situation, particularly in respect to the territory in question, with the dangers inseparable from it; and, regarding the losses we have sustained, for which indemnity has been so long withheld, and the injuries we have suffered through that territory, and her means of redress, she was likewise enabled to take, with honor, the course best calculated to do justice to the United States, and to promote her own welfare.

Copies of the instructions to the commanding general; of his correspondence with the Secretary of War, explaining his motives, and justifying his conduct, with a copy of the proceedings of the courts martial, in the trial of Arbuthnot and Ambristie; and of the correspondence between the Secretary of State and the minister plenipotentiary of Spain, near this government: and of the minister pleni-

potentiary of the United States, at Madrid, with the government of Spain. will be laid before Congress.

The civil war, which has so long prvailed between Spain, and the provinces in South America, still continues without any prospect of its speedy termination. The information respecting the condition of those countries, which has been collected by the Commissioners, recently returned from thence, will be laid before Congress, in copies of their reports, with such other information as has been received from other agents of the United States.

It appears, from these communications, that the government of Buenos Ayres declared itself independent in July 1816, having previously exercised the power of an independent government, though in the name of the King of Spain, from the year 1810: that. the Banda Oriental, Entre Rios, and Paraguay, with the city of Santa Fee, all of which are also independent, are unconnected with the present government of Buenos Ayres: that Chili has declared itself independent, and is closely connected with Buenos Ayres: that Venezuela has also declared itself independent, and now maintains the conflict with various success; and that the remaining parts of South America, except Monte Video, and such other portions of the Eastern bank of the La Plata as are held by Portugal, are still in the possession of Spain, or, in a certain degree, under her influence.

By a circular note addressed by the ministers of Spain to the allied powers with whom they are respectively accredited, it appears that the allies have undertaken to mediate between Spain and the South American provinces, and that the manner and extent of their interposition would be settled by a Congress, which was to have met at Aix-la-Chapelle in September last. From the general policy and course of proceeding observed by the allied powers in regard to this contest, it is inferred that they will confine their interposition to the expression of their sentiments; abstainidg from the application of force. I state this impression, that force will not be applied, with the greater satisfaction, because it is a course more consistent with justice, and likewise authorizes a hope that the calamities of the war will be confined to the parties only, and will be of shorter duration.

From the view taken of this subject, founded on all the information that we have been able to obtain, there is good cause to be satisfied with the course heretofore pursued by the United States, in regard to this contest, and to conclude, that it is proper to adhere to it, especially in the present state of affairs.

I have great satisfaction in stating, that our relations with France, Russia, and other powers, continue on the most friendly basis.

In our domestic concerns we have ample cause of satisfaction. The receipts into the Treasury, during the three first quarters of the year, have exceeded seventeen millions of dollars.

After satisfying all the demands which have been made under

existing appropriations, including the final extinction of the old six per cent. stock, and the redemption of a moiety of the Louisiana debt, it is estimated that there will remain in the Treasury, on the first day of January next, more than two millions of dollars.

It is ascertained that the gross revenue which has accrued from the customs during the same period amounts to twenty-one millions of dollars, and that the revenue of the whole year may be estimated at not less than twenty-six millions. The sale of the public lands during the year has also greatly exceeded, both in quantity and price, that of any former year; and there is just reaaon to expect a progressive improvement in that source of revenue.

It is gratifying to know, that, although the annual expenditure has been increased, by the act of the last session of Congress, providing for revolutionary pensions, to an amount about equal to the proceeds of the internal duties, which were then repealed, the revenue for the ensuing year will be proportionably augmented, and that, whilst the puplic expenditure will probably remain stationary, each successive year will add to the national resources, by the ordinary increase of our population, and by the gradual developement of our latent sources of national prosperity.

The strict execution of the revenue laws, resulting principally from the salutary provisions of the act of the 20th of April last, amending the several collection laws, has, it is presumed, secured to domestic manufactures all the relief that can be derived from the duties, which have been imposed upon foreign merchandise, for their protection. Under the influence of this relief, several branches of this important national interest have assumed greater activity, and, although it is hoped that others will gradually revive, and ultimately triumph over every obstacle, yet the expediency of granting further protection is submitted to your consideration.

The measures of defence, authorized by existing laws, have been pursued with the zeal and activity due to so important an object, and with all the despatch practicable in so extensive and great an undertaking. The survey of our maritime and inland frontiers has been continued; and, at the points where it was decided to erect fortifications, the work has been commenced, and, in some instances, considerable progress has been made. In compliance with resolutions of the last session, the board of commissioners were directed to examine in a particular manner the parts of the coast therein desig nated, and to report their opinion of the most suitable sites for two naval depots. This work is in a train of execution. The opinion of the board on this subject, with a plan of all the works necessary to a general system of defence, so far as it has been formed, will be laid before Congress, in a report from the proper department, as soon as it can be prepared.

In conformity with the appropriations of the last session, treaties have been formed with the Quapaw tribe of Indians, inhabiting

the country on the Arkansaw, and with the Great and Little Osages north of the White river; with the tribes in the state of Indiana; with the several tribes within the state of Ohio, and the Michigan territory; and with the Chickasaws; by which very extensive cessions of territory have been made to the United States. Negotiations are now depending with the tribes in the Illinois territory, and with the Choctaws, by which it is expected that other extensive cessions will be made. I take great interest in stating that the cessions already made, which are considered so important to the United States, have been obtained on conditions very satisfactory to the Indians.

With a view to the security of our inland frontiers, it has been thought expedient to establish strong posts at the mouth of the Yellow Stone River, and at the Mandan village, on the Missouri: and at the mouth of St. Peters, on the Mississippi, at no great distance from our northern boundaries. It can hardly be presumed, while such posts are maintained in the rear of the Indian tribes, that they will venture to attack our peaceable inhabitants. A strong hope is entertained that this measure will likewise be productive of much good to the tribes themselves; especially in promoting the great object of their civilization. Experience has clearly demonstrated, that independent savage communities cannot long exist within the limits of a civilized population. The progress of the latter has, almost invariably, terminated in the extinction of the former, especially of the tribes belonging to our portion of this hemisphere, among whom, loftiness of sentiment, and gallantry in action, have been conspicuous. To civilize them, and even to prevent their extinction, it seems to be indispensable that their independence, as communities, should cease, and that the control of the United States over them should be complete and undisputed. The hunter state will then be more easily abandoned, and recourse will be had to the acquisition and culture of land, and to other pursuits tending to dissolve the ties which connect them together as a savage community, and to give a new character to every individual. I present this subject to the consideration of Congress, on the presumption that it may be found expedient and practicable to adopt some benevolent provisions, having these objects in view, relative to the tribes within our settlements.

It has been necessary, during the present year, to maintain a strong naval force in the Mediterranean, and in the Gulf of Mexico, and to send some public ships along the Southern coast, and to the Pacific Ocean. By these means, amicable relations with the Barbary powers have been preserved, our commerce has been protected, and our rights respected. The augmentation of our navy is advancing, with a steady progress, towards the limit contemplated by law.

I communicate, with great satisfaction, the accession of another state, Illinois, to our Union; because I perceive, from the proof af-

forded by the additions already made, the regular progress and sure consummation of a policy, of which history affords no example, and of which the good effect cannot be two highly estimated. By extending our government, on the principles of our constitution over the vast territory within our limits, on the Lakes and the Mississippi, and its numerous streams, new life and vigor are infused into every part of our system. By increasing the number of the states, the confidence of the state governments in their own security is increased, and their jealousy of the national government proportionally diminished. The impracticability of one consolidated government for this great and growing nation will be more apparent, and will be universally admitted. Incapable of exercising local authority, except for general purposes, the general government will no longer be dreaded. In those cases of a local nature, and for all the great purposes for which it was instituted, its authority will be cherished. Each government will acquire new force and a greater freedom of action, within its proper sphere. Other inestimable advantages wil lfollow: our produce will be augmented to an incalculable amount, in articles of the greatest value for domestic use and foreign commerce. Our navigation will, in like degree be increased; and, as the shipping of the Atlantic states will be employed in the transportation of the vast produce of the western country, even those parts of the United States, which are most remote from each other, will be further bound together by the strongest ties which mutual interest can create.

The situation of this District, it is thought, requires the attention of Congress. By the constitution, the power of legislation is exclusively vested in the Congress of the United States. In the exercise of this power, in which the people have no participation, Congress legislate in all cases, directly, on the local concerns of the District. As this is a departure, for a special purpose, from the general principles of our system, it may merit consideration, whether an arrangement better adapted to the principles of our government, and to the particular interests of the people, may not be devised, which will neither infringe the constitution, nor affect the object which the provision in question was intended to secure. The growing population, already considerable, and the increasing business of the District, which it is believed already interferes with the deliberations of Congress on great national concerns, furnish additional motives for recommending this subject to your consideration.

When we view the great blessings with which our country has been favored, those which we now enjoy, and the means which we possess of handing them down, unimpaired, to our latest posterity, our attention is irresistibly drawn to the source from whence they flow. Let us then unite in offering our most grateful acknowledgments for these blessings to the Divine Author of all good.

JAMES MONROE.

November 16th, 1818.

DOCUMENTS

REFERRED TO IN THE PRESIDENT'S MESSAGE AT THE COMMENCEMENT OF THE SECOND SESSION OF THE FIFTEENTH CONGRESS.

Mr. Rodney to the Secretary of State.

Washington, 5th Nov. 1818.

SIR,

I have the honor to present the report herewith enclosed, agreeably to the desire of Mr. Graham, who, on reflection, preferred submitting some additional remarks, in a separate paper. For this purpose, two of the documents referred to in the report, remains in his possession—Dr. Fune's outline of events in the United Provinces, since the revolution, and the manifesto of independence by the Congress at Tucuman.

I have the honor to be,

With great respect

Your most obedient servant,

(Signed) C. A. RODNEY.

Hon. John Q. Adams, Secretary of State.

Mr. Rodney to the Secretary of State.

SIR,

I have now the honor to submit to your consideration, my report on the subject of the late mission to South America, embracing the information derived from the various sources within my power, so far as I had an opportunity of improving the advantages possessed.

With the history of the conquest of the Spanish possessions in

America, you must be familiar. They were principally, if not exclusively, achieved by private adventurers. When completed, a most oppressive system of government, or rather despotism, was established by the parent country.

These extensive regions, were originally, swayed by two vice-roys. The dominions of Spain in North America, were under the government of the vice roy of Mexico, and all her possessions in South America, were to the control of the vice roy of Peru.

The remoteness of some parts of the country from the residence of the vice roy at Lima, occasioned, in 1718, the establishment of another vice royalty at Santa Fee de Bogota, in the kingdom of New Grenada. In 1731, New Grenada was divided, and a number of the provinces composing that kingdom, were separated from it. These were put under the jurisdiction of a captain general and president, whose seat of government was at Caraccas.

In 1568, Chili was erected into a separate captain generalship; in 1778, a new vice royalty was established at Buenos Ayres, comprehending all the Spanish possessions to the east of the Western Cordilleras and to the south of the river Maranon.

This immense empire seems, according to the laws of the Indies, to have been considered a distinct kingdom of itself, though united to Spain, and annexed to the crown of Castile. In this light, it is viewed by baron Humboldt, in his essay on New Spain.

With some slight shades of difference in the regulations established in these governments, the prominent features of their political institutions, exhibit a striking resemblance, as the general system was the same.

Their commerce was confined to the parent country, and to Spanish vessels exclusively. They were prohibited, under the penalty of death, to trade with foreigners. The natives of old Spain, composed the body of their merchants. Though this part of the system, had, previously to the revolution, been relaxed, in some degree, particularly by the statute of free commerce, as it is styled, the relief was partial, and the restrictions continued severe and oppressive.

All access to the Spanish settlements was closed to foreigners, and even the inhabitants of the different provinces, were prohibited from intercourse with one another, unless under the strictest regulations.

The various manufactures, that might interfere with those of Spain, were not permitted. They were prevented under severe penalties from raising flax, hemp, or saffron. In climates most congenial to them, the culture of the grape and the olive was prohibited, on account of the distance of Peru and Chili; and the difficulty of transporting oil and wine to these remote regions, they were permitted to plant vines and olives, but were prohibited the culture of tobacco. At Buenos Ayres, by special indulgence of the vice roys, they were allowed to cultivate grapes and olives, merely for the use of the table.

They were compelled to procure from the mother country, articles of the first necessity: and were thus rendered dependant on her for the conveniences of life, as well as luxuries. The crown possessed the monopoly of tobacco, salt, and gunpowder.

To these oppressive regulations and restrictions was added an odious system of taxation. From the Indians, was exacted a tribute in the shape of a poll tax, or a certain servitude in the mines, called the mita. A tenth part of the produce of cultivated lands, was taken under the denomination of tithes. The alcavala, a tax varying from two and an half, to five per cent. on every sale and resale of all things moveable and immovable, was rigidly exacted, though in some cases a commutation was allowed. Royal and municipal duties were laid on imports and on the tonnage, entrance and clearance of vessels, under the different appellations of almoxarifasgo, sea, alcavalla, cerso, consulado, armada, and armadilla. To these may be added the royal fifths of the precious metals, the most important tax in the mining districts. Besides all these, there were stamp taxes, tavern licenses, and sums paid for the sale of offices, of titles of nobility, papal bulls, the composition and corfirmation of lands, with a number of others of inferior grade.

Under the Spanish monarchs, who had early obtained from the pope the ecclesiastical dominion, and thus had united in their royal persons, all civil and religious authority, a most oppressive hierachy was established with its numerous train of offices and orders, succeeded by the inquisition

The posts of honor and profit, from the highest to the lowest, were filled almost exclusively by natives of old Spain.

The principal code of laws thus maintain the supremacy of Spain over those distant regions, almost locked up from the rest of the world, emanated from the council of the Indies established by the king, in which he was supposed to be always present. The royal rescripts, the recopitationes of the Indies, and the partidas furnished the general rules of decision; and when these were silent or doubtful, recourse was had to the opinions of professional men.

This system was generally executed by the vice roys, captains general, and by the tribunals of justice, with a spirit, corresponding with the rigorous policy that produced it. To this form of government, the country had for centuries submitted with implicit obedience, and probably would have continued to submit much longer, but for events in this country and the changes in Europe. The sagacious minds of many able writers, penetrating into the future, had predicted at some distant date, a revolution in South America, before that in North America had commenced. From the period of the successful termination of our own struggle for independence, that of the inhabitants of the south, has been with more confidence foretold; and there is reason to believe it has been hastened by this fortunate event. The conduct of Spain, during the war of our re-

volution, was calculated to make a lasting impression on her colonies. This result was then foreseen by intelligent politicians; many were surprised that she could be so blind to her own interests, after she had on one occasion, manifested the strongest suspicion of paraguay; for to her scrupulous jealousy of this power, the expulsion of the Jesuits from that country in 1750 is to be attributed.

The wars that arose from the French revolution, have produced in Europe, changes of the greatest magnitude, which have had an immense influence on the affairs of South America. When Spain joined France against the combined princes, she exposed her distant possessions to British hostilities. The great naval power of England, gave her ready access to the American colonies. Engaged in an ardous contest, she was prompted by her feelings and interests, to retaliate on Spain, the conduct she experienced from her during the war of our independence. Encouraged, perhaps, by the councils of her enemies, the first symptoms of insurrection, in the continental possessions of Spain, were exhibited in the year 1797, in Venezuela. These were succeeded by the attempts of Miranda in the same quarter, which were accompanied, or were followed since the vacillating state of the Spanish monarchy, by revolutionary movements in Mexico, Grenada, Peru, Chili, and Buenos Ayres; and from which, scarcely any part of the Spanish dominions in America has been entirely exempt.

The occurrences that led the way to the subsequent important events in the provinces of La Plata, were the invasion of the British under Popham and Berresford in the year 1806, and their expulsion a few months afterwards, by the collected forces of the country under Leniers and Pueyrredon. These incidents fortunately gave to the people a just idea of their own strength, and they afterwards repelled with a firmness and bravery, that did them great honor, the formidable attack of the British under general Whitlocke.

The wretched state to which Spain was reduced by the policy, the power, and the arts of Napoleon, the resignation of Charles the 4th in favor of Ferdinand the 7th, and the renunciation by both. in favor of Napoleon, were productive of the most important results. They threw the kingdom into the greatest confusion. The alternate successes and disasters of the French armies, produced a new era in Spain. The people generally, revolted at the idea of being governed by the brother of Napoleon, to whom he had transferred the crown. Juntas were established, who acted in the name of Ferdinand, then confined in France. These were substituted for the ancient Cortes, and the regular council of the nation, to which in times of imminent danger, they ought to have recurred agreeably to their usages. Conflicting authorities, produced a distracted state of affairs. In the scenes that ensued, the proper attention was not paid to the American provinces. Their conduct towards them, was versatile and inconsistent, they were lost sight of or neglected, until it

was too late. Conceiving they were abandoned by the parent state, they thought it justifiable to act for themselves. It was not very long before the inhabitants of Buenos Ayres, embracing the example of their brethren in Spain, established a junta, which assumed the reins of government, and finally, in the year 1810, sent off the vice roy Cisneros, and his principal adherents. For a summary of events subsequent to this period, until the time of my departure, I beg leave to refer to the outline subjoned (Appendix A) from the pen of Dr. Funes, drawn up in part at my request. Without vouching for the perfect accuracy of the work, I think from the information received, it will probably be found to contain, in general, a correct and impartial sketch, of the prominent transactions and occurrences.

In perusing this interesting document, I have to lament, that its pages are marked with some cases of severity and cruelty, which seem almost inseparable from great revolutions. It must however be consoling to observe, that they appear to have passed through that state, which might possibly have rendered examples necessary, and to have arrived perhaps, at that stage, when the passions becoming less turbulent, and the people more enlightened, a milder system may be expected to prevail.

Their dissentions have produced most of their calamities. In such seasons they were naturally to be expected. But their disputes have been principally henled, by the prudent and energetic measures of the congress, which commenced its sittings in Tucuman in the year 1815, and adjourned in the year following from thence to Buenos Ayres, where it remained in session, occupied with the task of forming a permanent constitution. This respectable body, besides acting as a convention, or a constituent assembly, exercises temporily legislative powers. Their sittings are public with a gallery of audience, for citizens and strangers. The debates are frequently interesting, and are conducted with ability and decorum; they are published every month for the information of the people.

The dispute with Artigas, the chief of the Orientals, has not been adjusted. This, with a certain jealousy of the superior influence of the city of Buenos Ayres, on the general affairs of the provinces; the conduct of the government of Buenos Ayres, towards the Portuguese, and the high tariff of duties which I understand have been since reduced, appeared to constitute the principal causes of dissatisfaction at the time of my departure.

The declaration by Congress of that independence, which they had for many years previously maintained in fact, was a measure of the highest importance, and has been productive of an unanimity and a decision before unknown. This summit of their wishes, was only to be reached by slow and gradual progress. The public mind had to be illumined on the subject by their pulpits, their presses, and their public orations. The people were to be prepared for the event, when the season arrived, they cut the knot which could not be untied,

The declaration of independence was adopted in the directorship of Mr. Pueyrredon, on the 9th day of July, 1816. It was succeeded by an able exposition of the causes that extorted it, to justify, to their fellow citizens and to the world, the measure they had deliberately voted to support with their fortunes and their lives.

Believing the latter paper might be thought worthy of perusal, a translation has been annexed (Appendix B.)

The salutary influence of this bold and decisive step, was once felt throughout the country. It gave new life and strength to the patriotic cause, and stability to the government. The victories of Chacabuco and Maipu, achieved by the arms of Chili and Buenos Ayres, have produced and confirmed a similar declaration of independence by the peeple of Chili, which is also annexed, (Appendix C) and cemented the cordial union, existing between the confederate states. The consequence has been, that within these extensive territories, there is scarcely the vestige of a royal army to be found, except on the borders of Peru

Having thus, in connection with the succinct account given by Dr. Funes, traced the principal events, since the revolution in Buenos Ayres, I shall droceed to state the result of the information received, according to the best opinion I could form of the extent, population, government and resources of the United Provinces, with their productions, imports, and exports, trade and commerce.

The late vice royalty of Buenos Ayres, of which that city was the metropolis, was by many considered the largest, as well as the most valuable of all the Spanish dominions in South America, extending in a direct line, from its north to its south boundary, a distance of more than two thousand miles; and from its eastern to its western, not less than eleven hundred.

It was composed at the commencement of the revolution of the nine provinces, or intendencies following: Buenos Ayres, Paraguay, Cordova, Salta, Potosi, La Plata, Chochabamba, La Paz and Puno.

Watered by the great river La Plata and its numerous tributary streams, which afford an easy communication with countries of an immense extent, and furnishing an easy access to the treasures of South America, it has always been regarded by Spain, as one of her most precious acquisitions. Enjoying every variety of climate to be found between different and distant latitudes, and blessed with a large portion of fertile soil, it is capable of producing all that is to be found in the temperate or torrid zones. Immense herds of cattle and horses graze on its extensive plains, and constitute at this time their principal source of wealth. The mines of Potosi are also included within its boundaries. There are no woods for a very considerable distance from Buenos Ayres. No forest trees are to be seen on the widely extended pampas, except at intervals a solitary umboo. After passing the Saladillo, in a northerly direction the woods begin, and proceeding in the upper provinces, the hills appear, and moun-

tains rise in succession, interspersed with rich vallies. On the east side of the rivers La Plata and Parana, the country is said to be very fine. The Entre Rios, is represented as capable of being made a garden spot; and the Banda Oriental presents hills and dales, rich bottoms, fine streams of water, and at a distance from the great river on the banks of the smaller streams, some excellent woodland. Between Maldonada and Monte Video, the east ridge of the Cordilleras terminates on the river La Plata.

Since the revolution, five more provinces have been erected, making in all, fourteen within the limits of the ancient vice royalty viz. Tucuman taken from Salta, Mendoza or Cuyo, taken from Cordova, Corrientes, Entre Rios, comprising the country between the Uruguay, and the Parana, and the Banda Oriental, or eastern shore of the river La Plata. The two last were taken from the province of Buenos Ayres, which was thus reduced to the territory on the south side of that river. The subordinate divisions of the country, with the principal towns, will be found in the appendix to this report, with an account of the produce, or manufactures of the different districts. (Appendix D.)

Of the fourteen provinces into which the ancient vice royalty is now divided, five were at my departure, principally occupied by the royal forces, (which in consequence of the victory of Maipu, were expected soon to retreat to lower Peru,) or partially under their influence, viz. Potosi, La Plata, Cochabamba, La Paz, and Puno: and the nine following independent, *defacto* of Spain, were in the possession of the pataiots, viz. Buenos Ayres, Paraguay, Mendoza, Salta, Corrientes, Entre Rios, and Banda Oriental. But Paraguay, and the city of Sata Fee, act independently of Buenos Ayres. Though Paraguay is not on unfriendly terms with them, and it is hoped by some will before long join the union. Entre Rios and the Banda Oriental, under general Artigas in the character of chief of the Orientals, are in a state of hostility with Buenos Ayres.

Monte Video the capital of the Eastern shore, was occupied by a Portuguese army, and a squadron of ships of war from Brazil, blockaded the ports of Colonia and Maldovado, and prohibited the entrance of neutral vessels, unless they paid them the same duties on their cargoes, that were charged on the importation of the goods when landed in the country.

The territory of the United Provinces is computed to contain one hundred and fifty thousand square leagues though it probably exceeds that quantity. The lands occupied in the country, remote from the cities are general converted by their owners, into estanias, or large grazing farms for cattle, and chacras for growing grain.—The small farms, or quintas, in the neighborhood of cities, are in fine order. Those around Buenos Ayres, which furnish their market, with an ample supply of fruit and vegetables, are by irrigation, in the highest state of culture.

The population, exclusive of the Indians, is now calculated at about one million three hundred thousand: but adding the civilized Indians only, who are of great importance, it would in all, probably exceed two millions.

The whole population consists of nations of old Spain, and their descendants born in the country, or as they style themselves, South Americans; of Indians civilized, or unreclaimed, with different "casts," or mixed blood; of Africans, and their descendants, or negroes and mulattoes.

I could not ascertain with satisfaction, the population of the different provinces: the province of Buenos Ayres, contains about one hundred and twenty thousand, whilst the population of Entre Rios and Banda Oriental is computed at fifty thousand.

The city of Buenos Ayres contains a population of sixty thousand. The inhabitants of this place, appear to be amiable and an interesting people. They are considered brave and humane; possessing intelligence, capable of great exertions and perseverance, and manifesting a cheerful devotion to the cause of freedom and independence.

There is also a certain mediocrity and equality of fortune prevailing among them, extremely favorable to a union of the popular sentiment, in support of the common weal. Many industrious mechanics, and enterprising merchants, are, however increasing their estates, and adding to the stock of capital in the country.

The people of the province of Buenos Ayres, residing out of the city, are, generally speaking, poor, and rather indolent. Though a hardy race, and when excited to action, they become zealous defenders of the liberties of their country. They are capable of great improvement, and under the influence of a good example, when a change takes place in their habits and manner of living, they bid fair to become useful and industrious citizens.

The inhabitants of Cordova, are said to be more superstitious, and more industrious, but less patriotic. This is principally attributed to the loss of the trade with Peru, occasioned by the revolutionary war.

Tucuman, I was informed, possessed an excellent population.

The people of Mendoza, or Cuyo, are moral, industrious and patriotic. They have sacrificed largely at the shrine of independence, supporting with zeal and confidence, the cause of their country; whilst the citizens of Santa Fee, are represented, as immoral and unsubordinate, and manifesting on most occasions, an extreme jealousy of their neighbors.

The populatian of Entre Rios and Banda Oriental, is perhaps not inferior in valor to that of Buenos Ayres. Nor is it deficient in military skill, particularly in carrying on a partizan warfare, for which its troops are admirably adapted. Their other good qualities, have been probably somewhat impaired by the system pursued in that

quarter, where they have been compelled to give up every thing like civil avocations, and to continue without any regular kind of government, under the absolute control of a chief, who, whatever may be his political principles, or professions, in practice concentrates all power, legislative, judicial, and executive in himself.

The general congress of the United Provinces, assembled at Buenos Ayres, on the 3d of December, of 1817, established by a provisional statute, a temporary form of government, which will be found in Appendix marked E.

This congress is comprised of deputies from the different provinces. It actually consists of twenty-six members. But as a representative is allowed for every fifteen thousand citizens, it would be more numerous, if all the provinces had sent delegates in that ratio of population.

With some exceptions, and particularly of that palladium of our rights which is unknown to the civil law, the trial by jury, the provisional constitution will be found on an attentive perusal, to contain a distinct recognition, of many of the vital principles of free government. A church establishment also, that of the catholic faith, is contrary to our ideas of religious freedom; though a measure, adopted from necessity, perhaps by them.

It declares, that all power, legislative, judicial, and executive, resides in the nation. The congress are to be chosen by electors, who are to be voted for by the people in the primary assemblies. The cabildos, or municipalities, are to be elected immediately by the citizens. It recognizes the independence of the judiciary, and declares the tenure of office, with respect to the superior judges to be during good behavior. It provides for the election of a chief magistrate by congress, removable when they choose to appoint a successor, and responsible for the execution of the duties of his office, which are defined and limited. In the oath of office, he is sworn to preserve the integrity and independence of the country.

The three great departments of state, of the treasury, and of war, are distinctly marked out, and their respective powers and duties assigned.

On some subjects, it enters more into detail than is usual with us, particularly in those of their army, navy, and militia. But this perhaps, in their situation, was necessary.

It provides that no citizen shall accept a title of nobility, without forfeiting the character of citizenship.

It provides also, against general warrants, and the arrest of individuals, unless on probable proof of guilt.

It contains a salutary provision that a judge, having original jurisdiction, before taking cognizance of a cause, shall use all possible means of reconciling the parties. This constitution is but temporary. The congress are engaged in the task of forming a permanent one. In the mean time, no alteration can be made in the present, unless

with the consent of two-thirds of the members. In this manner some alterations have been adopted.

The subject of a permanent constitution was before a committee of sixteen members of congress. There was a difference of opinion prevailing among them, on the point of a confederated or a consolidated government. If they should adopt the former they will frame the constitution, in all probability, nearly after the model of that of the United States. Should they decide on the latter, it is highly probable, they will incorporate the leading features of our system into their form of government. They seem to concur in the proposition, to have a chief magistrate elected for a term of years and a representative legislature to consist of two branches. A senate, to constitute the most permanent body, and a house of representatives, whose term of service, will be of shorter duration.

Perhaps it would be better for them to delay the completion of this all important task, after the example of the United States, until a period of peace. Their present provisional statute, is an improvement on those which preceded it; and we may expect their proposed constitution, will be still more perfect, as they advance in the knowledge of those principles on which republican governments are constituted.

But however free in theory, this provisional statute may be, it is undoubtedly true, that unless administered agreeably to its letter, and spirit, it will not afford security to the citizen. Whether any infractions have occured since the date of its existence, I cannot pretend to determine, not being in full possession of the facts.

When we recollect, that they have the benefit of our example, it may reasonably be expected, that they will, in general, adhere to their written constitution. They have also the fatal result of the French revolution, warning them of the dangers of its excesses, of which they appear to be sensible.

The productions and the manufactures of the different provinces, will be found in Appendix D, but I was unable to procure any satisfactory estimates of the probable value or amount in each province. There is, however, a considerable internal trade carrried on in the interchange of various articles, between the several provinces; cattle, horses, and mules, furnish a considerable source of barter; with the latter, Peru is usually supplied: the Paraguay tea is a great article of trade throughout the country; the brandy, wine, raisins, and figs of Mandoza and San Juan, are becoming important; the hides of oxen, the skins of the vaccina, and granaco, with a number of fine furs, afford valuable articles of exchange. These, with the foreign goods, transported in every direction from Buenos Ayres, very readily by oxen and mules, which also furnish the means of carrying their native productions to their sea ports, form a branch of trade of great magnitude, considering the population of the country.

Their exports are calculated with some degree of accuracy, at

ten millions of dollars. These consist, principally, of ox hides, jerk beef, and tallow, the present great staples of the country. A variety of furs, and peltry, some grain, copper, mostly brought from Chili; with gold and silver in bullion, and in coin, chiefly from the mines of Potosi.

The imports are computed to be about equal to their exports, British manufactures form the principal mass, and they are to be had in great abundance. They consist of woollen and cotton goods of every description; some of them wrought to imitate the manufactures of the country, ironmongery, cutlery, hardware, saddlery, hats, porter, ale, and cheese, are among the remaining articles.

From the United States they receive lumber of all kinds, and furniture of every description, coaches, and carriages of all sorts, codfish, mackerel, shad, and herring, leather, boots, and shores, powder, and munitions of war, and naval stores, ships, and vessels, particularly those calculated for their navy or for privateers.

From Brazils they receive sugar, coffee, cotton, and rum.

From the north of Europe, they receive steel, and iron, and from France a number of articles of its manufacture.

Their foreign commerce is principally carried on by British capitalists, though there are some Americans, a few French, and other foreign merchants, also settled at Buenos Ayres; they are all placed, I believe, on the same footing of equality.

The revenue of the state may be estimated at about three millions of dollars annually; but their system of finance is very imperfect, and although their debt is small, their credit is low; they have hitherto avoided the issuing of paper money, and they have established no bank; but they have sometimes anticipated their revenue, by giving due bills receivable in payment for duties, or goods imported, or articles exported; the impost furnishes the principal part of the revenue. A copy of their tariff, as at first established, was some time since transmitted, I believe, to the Department of State, in this, the duties were generally specific and high. I understand they have been lately reduced, as their exorbitancy had occasioned much smuggling.

Voluntary contributions from those friendly to the revolution, and forced loans from the old Spaniards, have constituted another portion of their funds. To show the public capital adequate to all exigencies, their different civil, military, and naval establishments, have been taken into view, and are comprised in the estimate furnished, a thing unusual with us; but they have omitted their public lands, which, if a prudent use made of them, must at no distant day, become a very productive source of revenue to the state.

The mines of Potosi, which, in all probability, will very soon fall into their hands again, may furnish them with a considerable supply of the precious metals. It is stated on respectable authority, that so late as the year 1790, the amount of gold and silver coined at Potosi,

in that year, was calculated to have been $ 299,846 in gold, and $ 2,983,176 in silver.

The state of their army, and the condition of their navy, will be seen by a reference to the original return presented. (Appendix F.*)

Their army is composed of regular troops. Ciorcos, and militia, in one or other of these clases, they are educated to the military art, and as far as I had an opportunity, and was capable of judging, they appeared to be well acquainted with the elements of their profession. Their forces, according to the paper furnished, are estimated at nearly thirty thousand men. They are composed of 1,296 artillery, 13,693 infantry, and 14,718 cavalry: of which 12,143 are troops of the line, 7,041 are Ciorcos, and 10,573 militia. These form the different armies of the center of Peru, of the Andes, of Cordova, and the auxiliary forces in the Entre Rios. This statement however only includes the militia of the province of Buenos Ayres itself. There supply of armes and munitions of war is ample, as will be seen by the statement annexed, on that subject.

Their navy is small, and some of their vessels are laid up in ordinary. A list of them as well as of their privateers, will be found in Appendix F. Their private armed vessels are subjected to very strict regulations, agreeably to their prize code, which is among the original papers presented and herewith delivered. It may be proper, in this place to introduce the subject of the irregular conduct of the privateers under the patriot flag, against which the commissioners were directed to remonstrate. Having taken an opportunity of explaining to Mr. Tagle, the secretary of state, the proceedings of our government relative to Amelia Island and Galveztown, agreeably to their instructions, the commissioners embraced a suitable occasion, to urge the just cause of complaint, which the malpractices of private armed vessels, wearing the patriot colors, had furnished our government; on both topics, they had long and interesting conversations. With the conduct of the government respecting Amelia Island and Galveztown, Mr. Tagle expressed himself perfectly satisfied, and he disclaimed for his government any privity or participation in the lodgments made at those places, by persons acting in the name of the patriots of South America. In reference to the acts of cruizers under the patriotic flags, he said he was sensible that great irregularities had occurred, though his government had done every thing in their power to prevent them, and were willing if any instance of aggression were pointed out, to direct an inquiry into the case, and if the facts were established, to punish those concerned, and redress the injured individuals. He professed his readiness to adopt any measures that would more effectually prevent a recurrence of such acts, in which he expressed his belief, that the privateers of Buenos Ayres, had rarely participated, though the character of the government had suffered

* The document referred to is not sent.

from the conduct of others. He stated that they had on one occasion, sent out some of their public vessels to examine all cruisers wearing the Buenos Ayrean flag, to see that they were lawfully commissioned, and to ascertain whether they had violated their instructions.

Among the causes of dissatisfaction, to which I have alluded, the preponderance of the capital has been mentioned. Its great weight in the scale of national affairs, is to be ascribed to its greater exertions in the national cause. These are owing to its comparative wealth, and to its active, intelligent, and enterprising population. The armies that have been raised in this city and the neighboring country, with the supplies in money and munitions of war drawn from these sources, have been truly extraordinary.

It would be a difficult task to make an exact calculation, or to form even a probable estimate, but all seemed to concede the superior merit claimed on account of their exertions, when compared with their wealth and population: and it is not unlikely that Buenos Ayres has in consequence assumed a higher tone, and acquired a controling influence, which she has sometimes abused.

Another source of discontent is, the unfortunate dispute between the Banda Oriental, and Buenos Ayres, which had also an influence on the proceedings of the latter towards the Portuguese.

The original cause of division, may be traced to a jealousy, long subsisting between the rival cities of Monte Video and Buenos Ayres. This has become habitual and has extended to the country. Private interests, and personal views have also increased their dissentions.

General Artigas (who bears the character of chief of the Orientals, as has been already stated, and has also assumed that of the protector of the Entre Rios and Santa Fee) was originally in the royal service, a captain in a provincial corps. In this, he continued for some time after the revolution had commenced at Buenos Ayres. But in the year 1811, taking offence, as it is said, at some conduct of the Spanish commandant of Colonia, he abandoned the royal cause, and entered into the service of the patriots. So early as the year 1813, when acting against Monte Video, he became dissatisfied with Sarratea, the commander in chief from Buenos Ayres. On his removal from the head of the army, he quarrelled with general Rondeau, who it was supposed would have been acceptable to him, and finally withdrew, before the siege of Monte Video was finished under general Alvear. For this conduct, Posadas, when he succeeded to the government, treated him as a deserter from their service. By a proclamation he offered a reward for his apprehension, and set a price upon his head: an act, which general Artigas never forgot or forgave.

During the subsequent directorship of Alvear, he induced the Cabildo of Buenos Ayres, to issue a similar proclamation against general Artigas. When Alvear was dismissed, the people of Buenos Ayres endeavored to atone for their conduct by burning with every

mark of ignominy, the degrading proclamation. They also addressed a conciliatory letter to the general, and received from him a corresponding answer. These, were preliminary to a fruitless attempt at reconciliation, made by the director *ad interim*, colonel Alvares, who succeeded Alvear. The correspondence on this occasion is annexed. (Appendix H.) Other endeavors to reconcile him have failed, notwithstanding the changes in the office of director at Buenos Ayres. On one occasion, the proposition was made, that the Banda Oriental, should remain independant of Buenos Ayres, and merely send deputies to the general congress, to concert measure against the common enemy. On another, when the Portuguese army was approaching the frontiers of the Banda Oriental, an effort was made by Pueyrredon to reconcile him, and to unite him in the common defence. Ample supplies of arms, and munitions of war, were offered, and some furnished, but this attempt also failed.

In order that a fuller view of this subject may be had, I have subjoined a translated copy of an animated letter from general Artigas, to Mr. Pueyrredon. (Appendix I). It is but justice to add, that general Artigas, is thought by persons entitled to credit, to be a firm friend to the independence of the country. To express a decided opinion on this delicate question, would scarcely be expected of me, as my position, did not command a view of the whole ground. I had not the satisfaction to be derived from a personal interview with general Artigas, who is, unquestionably, a man of rare and singular talents. But if I were to hazard a conjecture, I think it not improbable, that in this, as in most family disputes, there have been faults on both sides. It is to be lamented, that they are in open hostility. The war has been prosecuted with great animosity, and in two late engagements, the troops of Buenos Ayres have been defeated with great loss. By some it was said that the inhabitants of the eastern shore were anxious, that a reconciliation would take place, whilst the people in the country, preferred their present state.

I must not omit to take a glance at the situation of Paraguay. This province presents a singular spectacle. It stands aloof from the rest. The people with the aid of the few remaining royal troops, repulsed an army, sent to compel them to join the common standard. Very soon afterwards, they expelled the royalists, and set up for themselves. Since this peried, they appear to have adopted a partial non-intercourse system. But Buenos Ayres, on one occasion, succeeded in obtaining an understanding with them. Some, suspect that they are secretly inimical to the existing order of things, and wish to keep themselves within their shell in case of a change, that they may profit by future events, others, calculate with some confidence, on their ultimate union with Buenos Ayres, with which, at present they indulge a limited, and reluctant intercourse. Paraguay is under the immediate control, of a person named Francia, who styles himself dictator of Paraguay.

From the domestic concerns of the provinces, we naturally turn to their foreign relations. On this subject the commissioners were informed that they had nothing more than a friendly understanding with any foreign nation. With the Portuguese government, they concluded an arrangement in 1812, under the mediation, it is said of the British, with respect to the Banda Oriental. They have since had a correspondence with them on the subject of their entrance into that province, and the forceable occupation by a Portuguese army of the city of Monte Video, of which a copy is annexed. (Appendix I). This will present the state of affairs between Buenos Ayres and the Brazils, which has been the theme of much discussion. The superior naval force of the Portuguese stationed in the river La Plata, could have effectually blockaded all the ports of Buenos Ayres. By this means they would have prevented supplies of arms and munitions of war, and entirely destroyed the great source of revenue to the state, the duties on imports and tonnage, at a season when money was much wanted. For about this period, Buenos Ayres, had a powerful army to contend with on the side of Peru, and had taken the burden of the renewed contest of Chili with Spain. Under such circumstances they were in some measure obliged to adopt a cautious and moderate policy. Their conduct in this respect, seems to have been coerced. Their unhappy state with the Orientals, had also an influence on their measures, they alledged that the restless conduct of Artigas, had furnished the Portuguese with a pretext for the invasion; but, it is probable that they will ultimately break with the government of Brazils.

The British government have, through their official agents, entered into commercial stipulations with general Artigas, as the chief of the Orientals, on the subject of their trade with the eastern shore. A copy of this instrument will be found in Appendix K.

The government of Buenos Ayres have a confidential person in Europe soliciting from England, and other powers, it is said, assistance of every kind, and a recognition of their independence. England has a consul, who with her naval commander on that station, appeared to conduct the confidential affairs of the British cabinet, with the government of Buenos Ayres.

What effects the victory of Maipu will produce abroad, it would be hazardous in me to conjecture. Whether like the capture of Burgoyne, it will procure for the United Provinces foreign alliances, I cannot pretend to say.

From a source which is entitled to credit, I was informed that the raising and embarkation of Osorio's army in Peru, was not accomplished without serious difficulties. Alternate force and persuasion were used to collect them, and nothing but the name, character, and promises of their general, could have induced them to go on board of the vessels, prepared for the purpose, at the port of Callao. Some of them were actually in a state of mutiny, notwithstanding

they were told they would be received with open arms by their brethren in Chili.

The forces finally embarked, agreeably to an account furnished by a gentleman of undoubted veracity on the spot, consisted of the following troops.

1 Company of artillery	70
1 Ditto sappers and miners	81
Regiment of Brugos	900
Ditto of San Carlos infantry	907
Ditto of Arequipa	1000
Arequipa dragoons	160
Lamas	144
	3262

This army was composed of all the regular soldiers they could spare from Lima, who were united at Talcaguna, to the royal forces left in Chili. By the battle of Maipu, it has ceased to exist. The probable effects in Peru, and other parts of South America may be conjectured, but cannot be affirmed. The same gentleman who has been mentioned, and who is conversant in Peruvian affairs, apprehended that important changes would result.

I cannot conclude this paper without drawing your attention to a rapid survey of the reforms and improvements in the province of Buenos Ayres, produced by the revolution and its influence on knowledge, society, and manners.

The effects of the revolution are visible in the changes produced in the state of society. The difference in the freedom of acting and thinking. which preceded the revolution, must necessarily be great. The freedom of commerce must have given a spring to exertions of native enterprise, and intelligence, while the active scenes of war and politics, for the last ten years, have awakened the genius of the country which had so long slumbered. The generation now on the stage may almost be said to have been reared under a new order of things. The common stock of ideas among the people, has been greatly augmented, the natural consequence of the important political events, which daily transpire, and in which every man like the citizen of Athens feels an interest. The newspapers are every where circulated together with the manifestoes of the government, which is obliged to court the approbation of public opinion on all measures of moment. It is not very unusual, for the same countryman, who, a few years ago, never troubled himself about any thing beyond the narrow circle of his domestic concerns, to purchase a newspaper on coming to town, as a matter of course, and if unable to read, to request the first one he meets, to do him that favor. The country curates are moreover enjoined to read the newspapers, and manifestoes regu-

larly to their flocks. The spirit of improvement may be seen in every thing. Even some of those who are under the influence of strong prejudices against the revolution, frequently remark the changes for better, which have taken place. Their habits, manners, dress and mode of living, have been improved by intercourse with strangers and the free introduction of foreign customs, particularly English, American and French. Great prejudices prevail against whatever is Spanish. It is even offensive to them, to be called by this name, they prefer to be identified with the aborigines of the country. The appelation which the have assumed, and in which they take a pride, is that of South Americans.

A powerful stimulus, must necessarily have been given to their industry, by two important circumstances, the diminution in prices of foreign merchandise, and the great increase in value of the products of the country with the consequent rise of property. Though the grounds in the neighborhood of cities are highly improved, as I have already stated—agriculture, comparatively speaking, is in a low condition. In general, the lands are badly tilled. The plough is rarely used, and the substitute, is a very indifferent one. But notwithstanding the disadvantages of the present method of culture, I was informed by reputable persons, that the average crop of wheat is not less than fifty bushels per acre, in good seasons.

On the subject of religion, especially the change in the public mind, has been very great. The catholic faith is established, as that of the state, but there are many advocates, both in conversation and in writing, of universal toleration. Some members of congress, are said to be strongly in favor of it; but the ignorant and superstitious part of the people, together with the regular clergy would not be satisfied with such a measure, while the liberality prevailing among the better informed classes, is such, as to secure a virtual toleration for the present. Besides, from the circumstances of their being no sects in the country, such a provision may wait the progress of liberality in public opinion. In fact, the human mind has been set free, on all matters of a general abstract nature, although the liberty of the press, is circumscribed in some degree, with respect to strictures on public measures, and men, and the established religion: but there is neither inquisition nor previous license. They acknowledge the pope as a spiritual head merely, and do not think him entitled to any authority to interfere in their temporal concerns. His bull in favor of the king of Spain against the colonists, which may be almost regarded as an excommunication, produced little or no sensation.

The number of monks and nuns never were very great in Buenos Ayres, when compared with other portions of the Spanish dominions. They have diminished since the revolution. There was at one time, a positive law passed, forbidding any one to become a monk or a nun: but they were obliged to repeal it, and it was afterwards passed with some modifications. The restrictions substituted, aided

by public opinion, have nearly produced the desired effect. Few of the youth of the country, apply themselves to the study of theology, since other occupations much more tempting to their ambition, have been opened to their choice. Formerly, the priesthood was the chief aim of young men of the best families, who were desirous of distinction: as in fact, it constituted almost the only profession to which those who had received a liberal education, could devote themselves; which will readily account for the circumstance, of so many of the secular clergy, directing their attention at present, almost exclusively to politics. The regular clergy, who are not permitted by the nature of their profession, to take part in the business of the world, or to hold secular offices, are many of them Europeans: but those of them who are natives, take the same lively interest in passing events, with the other classes of the community.

They have gone cautiously to work in reforms, in the different branches of their municipal laws, and the administration of them. The number of offices has been considerably diminished, and responsibility rendered more direct, and severe. The judiciary system has undergone many improvements, and nearly all the leading features of the law, which did not harmonize with the principles of free government, have been expunged, though some of the former evils still remain. The barbarous impositions on the aborigines, have been abolished. The odious alcavalla, and other obnoxious taxes, modified, so as no longer to be vexatious: slavery, and the slave trade forbidden in future; and all titles of nobility prohibited, under the pain of the loss of citizenship. The law of primogeniture, is also expunged from their system. In the provisional statute as has already been stated, nearly all the principles of free representative government are recognized, accompanied it is true, with certain drawbacks, for which they plead the necessity of the times, but which, they profess their intention to do away, on the final settlement of the government: a consummation anxiously desired by all classes of inhabitants. The example of France, has warned them not to attempt too much at first: they have followed the plan of the United States, in the introduction of gradual reforms, instead of resorting to violent and sudden innovations, and revolutions.

Next to the establishmeut of their independence by arms, the education of their youth appears to be the subject of the most anxious interest. They complain, that every possible impediment was thrown in the way of education, previous to the revolution; that so far from fostering public institutions for this purpose, several schools were actually prohibited in the capital, and the young men were not without restraint, permitted to go abroad for their education. There was a college at Cordova, at which those destined for the bar, or the priesthood, completed their studies, upon the ancient monkish principles. Another called San Carlos, (now the Union of the South) had been opened at Buenos Ayres, but was afterwards converted into bar-

racks for soldiers. It is an immense building, more extensive, perhaps, than any which has been dedicated to learning in this country; and it has lately been fitted up at very great expense. The school was to have opened in May or June last, on a more modern and liberal plan of discipline and instruction. The library of the state, is kept in an adjoining building; it occupies a suit of six rooms, and contains nearly twenty thousand volumes: the greater part rare and valuable. It is formed out of the library of the Jesuits, the books collected in the different monasteries, donations from individuals, and an annual appropriation by the government, and contains works on all subjects and in all the languages of the polished nations of Europe. A very valuable addition, has been lately made, of several thousand volumes, brought to Buenos Ayres by M. Bonpland, the companion of the celebrated Humboldt.

Besides the University of Cordova, at which there are about one hundred and fifty students, there are public schools in all the principal towns, supported by their respective corporations. In Buenos Ayres, besides an Academy, in which are taught the higher branches, and the college before mentioned, there are eight public shools, for whose support, the corporation contributes about seven thousand dollars annually; and according to the returns of last year the number of scholars, amounted to eight hundred and sixty-four. There are five other shools, exclusively for the benefit of the poor, and under the charge of the different monasteries; these, are supplied with books and stationery at the public expense. There are also parish schools in the country, for the support of which a portion of the tithes has been lately set apart. It is rare to meet with a boy ten or twelve years of age, in the city of Buenos Ayres, who cannot read and write. Besides the scholars thus instructed, many have private tutors. In addition to all this, I must not omit to mention the military academies supported by government at Buenos Ayres, and Tucuman, at whica, there are a considerable number of cadets.

There are no prohibited books of any kind; all are permitted to circulate freely, or to be openly sold in the book-stores; among them is the new testament in Spanish. This alone, is a prodigious step, towards the emancipation of their minds from prejudices. There are several book-stores, whose profits have rapidly increased; a proof that the numbers of readers has augmented in the same proportion. There had been a large importation of English books, a language becoming daily more familiar to them. Eight years ago, the mechanic art of printing was scarcely known in Buenos Ayres: at present, there are three printing offices, one of them very extensive, containing four presses. The price of printing is, notwithstanding, at least three times higher than in the United States: but as there is no trade or intercourse with Spain, all school-books used in the country, some of them original, are published at Buenos Ayres; the business, is therefore, profitable, and rapidly extending. There are

many political esssay, which instead of being inserted in the newspapers, are published in loose sheets: there are also original pamphlets, as well as republications of foreign works. The Constitutions of the United States, and of the different states, together with a very good history of our country, and many of our most important state papers, are widely circulated. The work of Dean Funes, the venerable historian of the country, comprised in three large octavo volumes, considering the infancy of the typographic art in this part of the world may be regarded as an undertaking of some magnitude.

There are three weekly journals or newspapers published in the city, which have an extensive circulation hrough the United Provinces. They all advocate the principles of liberty and republican forms of government, as none other would suit the public taste. The year before last it is true, one of the papers ventured to advocate the restoration of the Incas of Peru with a limited monarchy, but it was badly receievd. No proposition for the restoration of hereditary power of any kind, as far as I could learn, will be seriously listened to for a moment, by the people. Even the ordinary language has changed. They speak of "the state," "the people," "the public," "country," and use other terms, as in the United States, implying the interest that each man takes in what appertains to the community. The first principle constantly inculcated is, "that all power rightfully emanates from the people." This, and similar dogma, form a part of the education of children, taught at the same time with their catechism. It is natural, that the passion for free govenment, should be continually encreasing. A fact may be mentioned to show the solid advancement they have made, which is, that the number of votes taken at their elections, increases every year. In becoming habituated to this peaceful and orderly mode of exercising their right of choosing those who are to be invested with authority, the tumultuous and irregular removal, by a kind of general oratory or acclamation, of those who have been chosen, will gradually cease.

Rather than disturb the order of society, they will endure with patience, until the time arrives, for effecting a regular and constitutional change. Since the election of the present director, none of these tumults, before so frequent, have occurred. These tumults have seldom been attended with bloodshed; yet they produce great confusion, and disorder, and give rise to habits of insubordination, at the same time, that they are ruinous to the character of a nation.

The vice royalty of Buenos Ayres, differed from the rest, in one important particular. It contained, no nobility, or if any, very few. This may be regarded as a favorable circumstance in their society. Another favorable feature, very necessary to the successfull administration of their affairs, as the conduct of many individuals who have filled the highest office of state, in descending from that dignafied situation, to inferior posts, and discharging their duties with alacrity. Thus we behold general A. Balcarce, who was formerly director, acting as second in command to colonel San Martin.

Colonel Alvarez, also a director at one period, now serving in the staff, under the chief of that department. General Azcuenega, and general Rondeau, once elected to the chair of state, is at present employed in a minor office. There are others, who have occupied the same elevated post, who have retired to the station of private citizens.

The general capacities of the United Provinces for national defence, are also, important in many respects, the nature and extent of the country, afford the inhabitants numerous advantages over an invading army. The ease with which their herds of cattle may be driven to distant places, beyond the reach of an enemy and the rapid movements of the troops of the country can make, from the ample supply of horses and mules, are circumstances of great consequence in a military view. Even the towns not fortified from the manner in which they are built, and from the construction of their houses, furnish powerful means of defence, as the British army under general Whitlock, experienced in their attack on Buenos Ayres.

I am sensible, that in the course of these statements, and remarks, some inaccuracies and errors must have occurred, but they have been unintentional. I have only to add, that the reception of the commissioners at Buenos Ayres, by the chief magistrate was friendly and flattering.

From every class, they met with a cordial welcome. The people in general, appeared to be very much attached to the American character, and to the government and citizens of the United States.

Should any thing further occur, it shall be made the subject of a future paper.

I have the honor to be,
With great respect,
Your most obedient servant,

(Signed) C. A. RODNEY.

APPENDIX.

A, Funes outline.

B, The manifesto of independence by the congress of Buenos Ayres.

C, Declaration of independence of Chili.

D, Translation of various documents furnished by the government of Buenos Ayres.

E, Provisional statute.

F, Original reports of the secretary at war of Buenos Ayres.

H, Correspondence between Alvarez and agents of Artigas.

I, Letter of Artigas to Pueyrredon.

J, Correspondence with the Portuguese general.

K, British arrangements with Artigas.

L, Original prize code.

Mr. Graham to the Secretary of State.

City of Washington, 5th Nov. 1818.

SIR,

Mr. Rodney having undertaken to draw up, for our joint signature, a report respecting the present situation of the country we recently visited under the orders of the President, and circumstances having prevented him, from presenting it to me for perusal, until his late arrival in this city, I was not aware until then, that I should have occasion to present to you my individual views on that subject. But on an attentive perusal of the paper he drew up, I found, that although there was not perhaps any important fact on which we essentially differed, yet that some were stated of which I was not aware; and that we had taken views which it might be difficult to combine during the short time then allowed to us, and of which it might be proper, that you should be put in possession. Under these circumstances I thought it better to submit to the disadvantage of hastily throwing my observations together, and of presenting them separately, than to ask him to derange the general tenor of his report by introducing them into it.

The arrival of Mr. Bland, who will necessarily make a separate report will, I trust, reconcile the President to the course I have taken, as from a combined view of what we individually state, he may, perhaps, be better enabled to draw his own inferences as to the actual situation and future prospects of the country we visited, than from any just report in which we could all have agreed, as under ordinary circumttances, that must have been the result of a compromise of opinions, and would probably have excluded some facts, or some views, which, one or the other of us, will in the mode now adopted present to you.

In my particular situation, however, I thought it less necessary to go into detail, as I knew that the report of Mr. Rodney would furnish information on points which I omit.

With great respect,
I have the honor, to be, sir,
Your most obedient servant,
JOHN GRAHAM.

The Honorable John Quincy Adams,
Secretary of State.

The country formerly known as the vice royalty of Buenos Ayres, extending from the north western sources of the river La

Plata to the southern cape of America, and from the confines of Brasil and the ocean, to the ridge of the Andes, may be considered as that which is called "The United Provinces of South America."

Under the royal government, it was divided into the intendencies, or provinces of Buenos Ayres, Paraguay, Cordova, Salta Potosi, Plata, Cochabomba, La Pox, and Puno. Subsequently to the revolution, in the year 1814, another division was made; and from the provinces of Cordova, Salta, and Buenos Ayres, were taken those of Cuyo or Mendoza, Tucuman, Corientes, Entre Rios, and the Banda Oriental. The others, it is believed, retained their former boundaries and with the exception of Paraguay, are generally called "Upper Peru."

This widely extended country embraces almost every variety of climate and soil, and is capable of almost every variety of production. A large part of it however, particularly on the west side of the river La Plata, and southerly towards cape Horn, is deficient in wood, even for fuel, and in water, that which is found is generally brackish.

Although three centuries have passed by, since the Spaniards made their first settlement in this country, and some considerable towns, and cities have grown in it; yet its general improvement and population have by no means kept pace with them, for the lower provinces have been almost entirely abandoned to the immense herds of cattle, which graze on their plains, and require only the partial care of a comparatively few herdsmen; and the inhabitants of Upper Peru have been engaged more generally in the business of mining than was favorable to improvement or population. Certain small districts, having peculiar advantages are said to be well cultivated, and very productive: but agriculture has in general been very much neglected. It is in a great degree confined to the vicinity of the towns, and cities, and may be said to limit its supplies to their demands. This state of things, combined with the regulations of the former government, the influence of climate, and the force of example, has stamped the character of indolence upon that class of society usually considered as the laboring class. The same causes have not operated, at least, not with the same force, upon the other inhabitants of the country, hence they are more industrious, and more active. Their manners are social, friendly, and polite In native talents they are said to be inferior to no people; and they have given proofs that are capable of great and persevering efforts; that they are ardently attached to their country, and warmly enlisted in the cause of its independence.

It is not necessary for me to enter into a detail of the causes which led to the revolution in 1810. The most immediate perhaps are to be found in the incidents connected with the two invasions of the country by the British in the years 1805 and 1806, and in the subsequent events in Spain, as they have a direct tendency to show to these people their own strength and the incapacity of Spain, to

give them protection, or enforce obedience. The groundwork was however laid in the jealous and oppressive system adopted at a more early period by the kings of Spain, whose policy it seemed to be, to keep within as narrow limits as circumstances would permit, the intelligence, wealth, and population of that part of America, subject to their dominion, as the surest means of preserving an empire, which they considered the great source of their wealth and power.

The revolution having been auspiciously commenced in the city of Buenos Ayres, was warmly, and zealously supported by the great mass of the people descended from the Spaniards; but the native Spaniards, as well those domesticated in the country as those in the service of the king, were almost all opposed to it, particularly at the time, and under the circumstances it took place. Dissentions were the immediate result, and their long-standing jealousy and distrust of each other, have by subsequent events been heightened into deadly hostility, which time alone can wear away. These dissentions have been considered as one of the causes that produced those which subsequently took place amongst the patriots themselves, and which have been most serious obstacles to the progress of the revolution. Other obstacles, however, have been presented by the royal government in Peru, which has hitherto not only been able to maintain itself there, but has found means by enlisting the native peruvians into its service, to send at different times considerable armies into the upper provinces on the La Plata, where the war has been carried on from the commencement of the revolution to the present day with various success; the great extent and peculiar character of the country and the want of resources, having prevented either party from making a blow, decisive of the contest. When we came away, the advantage in that quarter was on the side of the Spaniards, as they were in possession of the provinces of Upper Peru, which had to a certain degree at least, joined in the revolution, and some of which are represented in the congress. Every where else, they have been obliged to yield up the government and abandon the country, or submit to the ruling power. The peculiar situation of Monte Video, on the east side of the river La Plata, open to the sea, and strongly fortified, enabled the Spanish naval and military forces at an early period in the revolution, to make a stand there; they were ultimately obliged to surrender it; not, however, until long protracted, and perhaps ill directed efforts on the part of the assailants, had given rise to many jarring incidents between those who came from the opposite shores of the river, probably the effect, in part at least, of ancient jealousies, kept alive by the individual interests of particular leaders; these, have been followed by events calculated to produce a still greater alienation; and, although several attempts have been made to bring about a union they have hitherto been unsuccessful. The provinces of the "Banda Oriental," and the "Entre Rios," on the eastern side of the river under the direction of general Artigas are

now at war with those on the western side, under the government of the congress at Buenos Ayres.

This war has originated from a combination of causes, in which both parties have, perhaps, something to complain of, and something to blame themselves for.

General Artigas and his followers profess a belief that it is the intention of the government of Buenos Ayres to put them down, and oblige them to submit to such arrangements as will deprive them of the privileges of self government, to which they claim to have a right. They say however, that they are willing to unite with the people on the western side of the river; but not in such a way as will subject them to what they call the tyranny of the city of Buenos Ayres. On the other hand, it is stated that this is merely a pretext; that the real object of general Artigas and of some of his principal officers is to prevent a union on any terms, and to preserve the power they have acquired, by giving an erroneous excitement to the people who follow them. That it is wished, and intended to place these provinces on a footing with the others. That the respectable portion of their inhabitants are aware of this fact, and anxious for a union; but are prevented from openly expressing their sentiments, from a fear of general Artigas, whose power is uncontrolled by law, or justice, and hence the propriety and necessity of aiding them to resist it. Armies have accordingly been marched within the present year into these provinces; but they were not joined by a number of the inhabitants and were defeated with great loss.

This war is evidently a source of great injury and regret, and at the same time of extraordinary irritation to both parties, for independently of other causes of recrimination, each accuses the other of having brought about that state of things which threatens to place a most important and valuable portion of their country in the hands of a foreign power, who has invaded it with a regular, and well appointed army, and is gradually taking possession of commanding points, from which it may be difficult for their united force hereafter to dislodge them. That they will unite, is, I think to be calculated on, unless some event, disastrous to the cause of the revolution itself takes place; for their mutual interest requires a union. But more of moderation and discretion may be necessary to bring it about, than is at this time to be expected from the irritated feelings of some of the principal personages on both sides.

The city of Santa Fee, and a small district of country around it, also refuse to acknowledge the authority of the government of Buenos Ayres.

In Paraguay, the events of the revolution have differed from those in any other province, as the inhabitants of that country have uniformly resisted the efforts of the other provinces to unite with them. After having aided the Spanish placed over them, to repel a military force which had been sent to overthrow them, they them-

selves expelled from their country these authorities, and established a government of their own, totally unconnected with that of the other provinces, with whom they manifest an unwillingness to keep up even a commercial intercourse. This has given rise to a suspicion in the minds of some, that there is a secret predilection among them for the ancient order of things. But from what is said of their cold and calculating character; from the safe position of their country, and its capacity to supply its own wants, it is probable that their object is to husband their resources, and profit by the exertions of others, without giving their own in aid of them; and possibly in case of ultimate failure, to place their conduct in a less objectionable point of view before the government of Spain. Whatever may have been their motives, they have hitherto contrived to escape, in a great measure, the evils of war.

Their resources in men and money are said to be considerable, and no country is more independent of foreign supplies.

Their conduct furnishes a striking contrast to that of the people of Buenos Ayres, who entered into the revolution with unbounded zeal and energy, and have ever been ready to meet the difficulties of so great an undertaking. This circumstance connected with their local situation greater resources, and more general information; and perhaps the fact of their having been the first to get power into their hands, have had the effect to give them a controling influence over the revolutionary government, which has not failed to excite, in some degree, the jealousy of the other provinces, and amongst themselves a feeling of superiority little calculated to allay that jealousy. Great evils were at one time apprehended from this state of things, but the Congress which met at Tucaman, in March 1816, composed of deputies from the several provinces then united, assumed the sovereign power of the country, boldly declared its absolute independence, and adopted a provisional form of government, which is understood to have the effect of allaying dissentions, and of introducing a more regular administration of public affairs.

It will be seen from the documents in your possession, that this provisional constitution recognizes many of the principles of free government; but with such drawbacks as are little calculated to enforce them in practice. Great allowances are doubtless to be made for the circumstances of the times, and the danger and difficulty of tearing up ancient institutions, or of adopting new principles to them. But after due allowance for all these considerations, it did not appear to me that so much had been done for the cause of civil liberty, as might have been expected, or that those in power were its strongest advocates. It is generally admitted however, that some changes for the better have been made. Much care seems to be taken to educate the rising generation, and as those who are now coming on the theatre of action have grown up since the commencement of the revolution, and have had the advantage of the light thrown in by it, it is fair

to suppose that they will be better prepared to support and administer a free government, than those whose habits were formed under the colonial government of Spain.

The commerce and manufactures of the country have grown beyond its agriculture. Various causes however have contributed to lessen some branches of manufacture since the revolution, but commerce is understood to have been increased by it. A much greater variety and quantity of foreign goods are imported, and a greater demand is opened for the productions of the country. The city of Buenos Ayres is the seat of this commerce. From it, foreign and some domestic goods are spread through the interior, as far as Chili and Upper Peru, and in return, the various productions are drawn to it. This trade is carried on principally by land, as is that between the different provinces, though some small portion of it finds its way up and down the large rivers forming the La Plata, which is itself, not so much a river as a great bay. The abundance of cattle, horses, and mules, and of some other animals peculiar to the country, which are used in the mountainous regions of Peru, furnish facilities for transportation, not to be found in any other conntry so little improved, hence the price of transportation is very low, and the internal trade greater than it otherwise would be, though it had been materially lessened in some important branches, by the war with Peru, and the system adopted in Paraguay.

The export and import trade is principally in the hands of the British, though the United States, and other nations participate in it to a certain degree. It is depended on as the great source of revenue to the stat —hence they have been tempted to make the duties very high, and to lay them upon both imports and exports, with the exception of lumber and military stores. This circumstance, connected with the fact, that payment is demanded at the custom house before the goods are delivered, has led to a regular system of smuggling, which is said to be carried to great excess, and doubtless occasions the official returns to fall short of the actual amount of the trade. This may be the reason why they were not given to us. The articles imported are almost every variety of European and East India goods principally from England. Rum, sugar, coffee, tobacco, cotton and timber from Brasil. Lumber of almost every description, cod fish, furniture, gin and some smaller articles, from the United States, together with military stores, which, however, find their way into the country directly from Europe, and are thus furnished at a cheaper rate than we can sell them. The principal articles of export are taken from the various animals of the country, tame and wild, from the ox to the chinchilla, copper from Chili, and some of the precious metals drawn principally from Peru; but as gold is worth $17 oz. and passed by tale at that rate, very little of it is exported. Hence the currency of the country is gold, for they have no paper money. The "Libranzas," or bills of credit, issued by the government, are, howe-

ver, an article of traffic among the merchants, as they are received in payment of one half of the duties. No distinction is made in favor of the trade of any nation, save only that the British merchants have some peculiar facilities granted them in relation to their letters, which are an object of taxation, at least so far as applies to those sent out of the country.

In the official statements given to us, and to which I beg leave generally to refer for information as to the foreign relations, the productions military and naval force, revenue and population, the latter is stated at 1,300,000, exclusive of Indians. This is understood as comprehending the population of all the provinces; but as some of them are not under the government at Buenos Ayres, I have thought it proper to annex the several estimates I collected of the population of each province, as they may serve to give some general information on that point. The most immediate difficulty felt by the government whilst we were in the country, seemed to arise from the want of money: for although the debt was small, their credit was low. It had not been found practicable to adopt a system of finance adequate to the exigencies of the times, though it would seem, from the statement given to us, that the revenue of the last year exceeded the expenses. The important events of the present year in Chili, of which you are informed, will doubtless, have the effect to raise the credit of the country, and to lessen the pressure upon it, at least for a time, and will probably leave the government more at leisure to attend to its internal affairs.

When we came away, it was understood that a committee of the congress was engaged in drafting a new constitution, the power of forming and adopting it, being exclusively vested in the congress. Whether it will assume a federal or national character is somewhat doubtful, as there are evidently two parties in the country, whose views in this respect are very different, and it is believed, that they are both represented in the congress. The one party is in favor of a consolidated, or national government—the other wishes for a federal government, somewhat upon the principles of that of the United States. The probability seems to be, that although there might be a majority of the people in the provinces, generally in favor of the federal system, that it would not be adopted, upon the ground that it was not so well calculated as a national government, to provide for the common defence, the great object now in view. The same general reason may be urged perhaps, for giving to the latter, should it be adopted, less of a republican character than probably would have been given to it, in more quiet and peaceful times. There is danger too, as the power of forming and adopting the constitution is placed in the hands of a few, that the rights and privileges of the people may not be so well understood, or attended to, as they would have been, had the people themselves had a more immediate agency in the affair. It is not to be doubted, however, that

it will, at least, have a republican form, and be bottomed upon the principles of independence, which is contended for by all descriptions of politicians in the country, who have taken part in the revolution, and will, it is believed, be supported by them in any event, to the last extremity.

Their means of defence of which they are fully aware, are in proportion to their numbers, greater perhaps, than those of almost any other people, and the duration, and events of the war, have strengthened the general determination never to submit to Spain. This determination rests upon the recollection of former sufferings and deprivations; upon a consciousness of their ability to defend and to govern themselves: and upon a conviction, that in case of submission, on any terms, they would, sooner or later, be made to feel the vengeance of the mother country These considerations doubtless have the most weight upon the minds of those, who have taken a leading part. They of course use all their influence to enforce them, and thus to keep up the spirit of the revolution. In this they probably have had the less difficulty, as although the sufferings of the people have been great, particularly in military service and in raising the contributions necessary for that service, yet the Incubus of Spanish power being thrown off, and with it that train of followers who filled up almost every avenue to wealth and consequence, the higher classes have been awakened to a sense of advantages they did not before enjoy. They have seen their commerce freed from legal restraints. Their articles of export become more valuable, their supplies furnished at a lower rate, and all the offices of government or other employments laid open to them, as fair objects of competition. The lower classes have found their labour more in demand, and better paid for; and their importance in society greater than it formerly was.

They are yet, however, from their indolence, general want of education, and the great mixture of "casts" among them, in a degraded state, but little felt in the affairs of the government. The stimulus now given will operate to produce a change in them for the better, and it is to be presumed will gradually have its effect, as their docility, intelligence, and activity when called into service, give evidence that they are not deficient in natural, or physical powers.

Labor, as it becomes more general, will become less irksome to individuals, and the gradual acquisition of property which must necessarily result from it in such a country under a good government, will doubtless produce the happy effects there which it has uniformly produced elsewhere, and more especially in countries where the population is small when compared to the extent of territory.

I am very sensible that I may have been led into errors of fact, or inference. In that case, I can plead honesty of intention, and the difficulty of collecting at a single point, and within a limited time, correct information; or of analyzing that which was collected, res-

pecting a people in a state of revolution, who are spread over an immense country, and whose habits, institutions, and language are so different from our own.

I have only to add that we were politely received by the Supreme Director, who made every profession for our government, and every offer of accommodation to us as its agents, which we had a right to expect, and that the people manifested on all occasions, the most friendly dispositions.

Estimate of the Population of the Provinces of Buenos Ayres, Cordova, Tucuman, Mendoza or Cuyo, and Salta under the names of the different towns or districts, which send Representatives to the Congress.

	By an imperfect census taken, it is believed in 1815, excluding troops, and transient persons and Indians	By more recent estimates, excluding Indians	Excluding Indians	Including Indians	
Buenos Ayres	98,105	105,000	120,000	250,000	
Cordova	. .	75,000	75,000	100,000	
Tucuman	. .	45,000	45,000	20,000	probably the town only.
Santiago del Estero	. .	45,000	60,000		
Valle de Calamarca	. .	36,000	40,000		
Rioja	. .	20,000	20,000		
San Juan	. .	34,000	34,000		
Mendoza	. .	38,000	38,000		
San Luis	. .	16,000	16,000		
Injuy	. .	25,000	25,000		
Salta	. .	50,000	50,000		
		489,000	523,000		

Estimate of population—contined.

Provinces of Upper Peru					
Cochabamba . . .	. .	100,000	120,000	200,000	
Potosi	.	112,000	112,000	250,000	
Plata, or Choreas .	. .	112,000	112,000	175,000	
La Paz . . .	. .	. .	. .	300,000	
Puno { under the name of Santa Cruz de la Sierra	. .	120,000	. .	30,000 150,000	under the various names of Santa Cruz de la Sierra, Majos, and Chequitos.
Puno { Ouiro . .	. .	. .	. .	50,000	
Paraguay . . .	. .	. .	. .	300,000	
Banda Oriental, and Entre Rios . . .	. .	50,000			

Note. It is not understood that any part of the province of Corrientes, or that of the city, or district of Santa Fee is included in this estimate; and some districts of some of the other provinces may be omitted.

A.

Historical sketch of the revolution of the United Provinces of South America, from the 25th of May 1810, until the opening of the National Congress, on the 25th of March 1816, written by Dr. Gregorio Funes, and appended to his history of Buenos Ayres, Paraquay, and Tucuman.

It is the advice of a sage, that the history of revolutions should be written, neither so long after they have happened, that many of their events will be forgotten, nor so immediately after they have occurred, as to preclude it from being executed with the requisite impartiality. In the last case, all who read it, setting in judgment upon it, approve or condemn according to their feelings, and in consequence it is deemed a chaos of uncertainties. We have therefore, determined to give merely a sketch of the revolution, and to refrain from such narration, as would perhaps revive animosities which patriots wish never to see renewed.

1810.

A succession of reverses had deranged all the plans of defence adopted by Spain to resist the attacks of France. The pass of Sierra Morena, being forced, the army of the enemy extended its conquests to the Island of Leon. Affairs were in this desperate situation, when the timorous Cisneros addressed his celebrated proclamation to the people, more for the sake of repelling the danger which menaced his authority, than of furnishing them rules to regulate their conduct, in case of the French succeeding in their ambitious designs against the mother country. A martyr to the suspicions, to which he had given himself up, as if he disdained artifice, he endeavored to gain credit with the people, by palming upon them his statement of the utter imbecility of Spain, which they knew as well as he, for noble sincerity. In fine he descended to propose a plan of national representation, as remote from justice as from utility.

This was a conjuncture which the people of Buenos Ayres anxiously expected. That period had long passed away, when America, without any object with which to compare herself, had believed men bound implicitly to be guided by the maxims of their predecessors. The revolution of North America and the recent one of France, had revived among us the natural rights of man. The same regency although thereby doing violence to its feelings, said to us, "that we were elevated to the dignity of freemen, that we were not like our ancestors oppressed by a yoke, rendered more galling by their distance from the centre of power,

viewed with indifference, and made vile by ignorance." In fine, in the re-conquest of Buenos Ayres, by expelling the English, we had made trial of our strength, and convinced that we might now safely cast off the leading strings of infancy. He believed that this was the time to shake off the authority of a decrepid and tyrannical mother. We were also impelled to this measure from its appearing probable that Napoleon would render permanent the government he had established in Spain.

A number of brave men (1) united themselves secretly for the purpose of extirpating tyranny, and at the risk of their tranquillity and fortune and life, formed the plan of this revolution. Though destitute of military force, they dared provoke a powerful vice roy; without experience, they yet lulled to sleep the vigilance of their governors; without money, they gained over many of the soldiery; without authority, they reigned in the hearts of their fellow citizens. This being the situation of things, the vulcano at last burst forth; a junta of nine persons, with full powers. (2) assembled on the 25th May, 1810, agreeably to the summons of Cisneros, the vice roy. This was the first step in our revolution, a revolution affected without bloodshed, maintained by success, ardently desired by the good, and capable of producing the happiest effects.

Although the considerations we have mentioned, would have justified the declaration of independence, the capital did not proceed to this extremity; it considered, that to pass at once, the immense interval between slavery and liberty would be a premature measure, and contrary to the inviolable law of nature, that improvement shall be gradual.

Besides this, although they knew that the enjoyment of the social rights was an object so dear to the hearts of many Americans; it knew also, that there were among them some timid men, who, exposing themselves to universal derision, reprobated the good purchased by any other than pacific means; others, who, destitut of love of country, were stangers to the most heroic passions; and others, so unenlightened, as to deem servitude their natural and proper state.

As well to make an experiment upon these dissimilar classes of men, as to leave the great measure of declaring independence untried, till events should render it expedient; the capital limited itself, for the present, to the only plan sanctioned by prudence. This was, that the provinces in the name of Ferdinand the VII. should assume the direction of public affairs. Every thing prompted us to this innovation: the Peninsular government, its springs having lost their elasticity, appeared insufficient to secure the existence of the nation. The very provinces of Spain, were, more or less, in open opposition to her authority: her govermental orders were either entirely violated or imperfectly obeyed: this monarchy was completely unhinged: the component parts of this vast body politic, were as widely dispersed, that they could have no tie capable of binding them together.

This want of union rendered the nation weak; it was doubtful whether the central junta, could of itself. establish a regency; in fine, America was an integral part of the monarchy, and enjoyed equal rights with Spain.

This innovation excited greatly the feelings of the people, and gave birth to as little speculation Men, who had submitted without a murmur, to be treated as slaves, blessed the moment when, at least, they were no longer instrumental to their own sufferings. But on the other hand, interest and arrogance caused the European Spaniards to regard with rage the newly awakened energy of a people they had long contemned; an energy which menaced them with the deprivation of office and influence.

The *Oidores* of Buenos Ayres, were the first who manifested a disgust, unbounded and promotive of insubordination. The junta excluded from the government certain individuals, (3) regardless of every thing but self-interest; for them it substituted others more worthy.

The royal marine, characterized by ignorance, and indocility, also gave loose to selfish passions; it retired to Monte Video, endeavored to stir up the people to insurrection; implored succors from Brazil, dispersed the army, imprisoned its chiefs, even sent them to Spain; in fine, threw all things into confusion.

The state was upon the eve of a civil war. Linea, Monte Video, Paraguay, the chiefs of Cordova, Potosi, and Charcas, prepared themselves for a bloody contest with the capital and its adherents. But their animosity excited vigilance in the government, and enthusiasm in the patriots.

To guide the people in the novel and daring career upon which they had entered, the government and the clergy furnished them with productions written with ability and with energy. To enlighten the public, and consequently to triumph over the errors of education, was deemed a sacred duty. The conduct of the ecclesiasticts was particularly praiseworthy, since they acted in opposition to the bishops of their diocesses, more occupied with the advantages of posts, they feared to lose, than interested for their flocks.

As the provincial chiefs, in opposition to the government, were deaf to persuasion, it determined to obtain by force for the people the enjoyment of their rights. It organized an auxiliary expedition to operate against the enemies of liberty in the interior provinces. At this very time, Concha, governor of Cordova, and the bishop Orellana, excited by the ardent Liniers, viewed the revolution as a criminal enterprise against the state, and excited the people to disobedience and to vengeance. To cure them of this phrensy, and to convince them that they were laboring for their own ruin, and that of the people, my opinion, delivered in a junta, (4) was ineffectual. At last, these deluded men discovered, to their cost, that they were struggling in an unknown sea, against a tempest, they could not

withstand. Abandoned by their own soldiers, who never heartily embraced their cause, they were taken prisoners. (5)

The junta determined to cement the revolutionary government, with the blood of those mistaken men, and thus to terrify into silence, the enemies of freedom. When informed of this resolve, my surprize and grief were equally great. It was on the eve of its execution, that I was informed of this determination. To avert from a cause, so far untainted by injustice, the imputation of atrocity, nay, even of sacrilege, for those accustomed to kneel before their bishops, would have deemed this act: To prevent the cecession from the patriot cause of many reputable and influential families, (6) whose reputation and feelings, such an execution would have deeply wounded; in fine, impelled by humanity, I felt bound to urge these reasons upon Don Francisco Antonio Ocampo, and Don Hipoleto Vieytes, chiefs of the expedition, and to supplicate the suspension of so odious a sentence. The impression which these reasons and others added by my brother, Don Ambrosio Funes, made upon their minds, produced the desired effect, a few hours before the time appointed to inflict the punishment. The government deemed this extreme moderation, incompatible with the security of the state: The blockade of the capital by the royal marine from Monte Video, the intrigues of the European Spaniards, ever on the alert; in fine, opinions in favor of Liniers, whispered among our troops, the companions of his dangers and his glory, compelled the government to choose, between the death of these conspirators, and the ruin of dawning liberty. Placed in this dilemma, from a sense of duty, it did violence to its feelings, and confirmed the sentence, except that part relating to the bishop. Thus died prematurely men, who in other times might have been useful citizens. (7)

Among the chiefs, assembled by Concha and Liniers, the most conspicuous were Sans, governor of Potosi, and Nieto, president of Charcas. Nieto, licentious as was ever any minion of tyranny, oppressed with vexations, each garrison under his command, imprisoning the soldiers in caverns, and even condemning them to toil in bake houses. Thus, this idiot expected to prop the tottering fabric of slavery, and to perpetuate meanness of spirit and misery. While these and other events agitated the centre of Peru, the junta gave additional respectability to the auxiliary expedition. Casteli having resigned the command, Don Antonio Balcarce, was appointed in his stead. The victory of Suipacha put an end to the enterprises of certain rash men. The major general, Cordoba, Sans, and Nieto, were shortly after put to death.

It was not so much from external obstatcles, as from a weakness, common to all states in times of revolution, that our affairs were not always prosperous. It must be perceived, that we are now about to speak from intestine dissentions. When we threw off the yoke, we thought that in organizing a government, it was impossible to re-

cede too much from the tyranny which had caused our sufferings and our shame. A youth of talents and information, says a modern author, astonished at reading in each page of the ancients, a diary of what passed before his eyes in the late French revolution, happily thought of writing its history with passages extracted from these authors; and without any other labor, than that of citation, composed an original work. So true it is, adds he, that there are no annals, more authentic and instructive, than those of the human heart. When we attentively consider our dissentions, it appears as if Cicero, and Tacitus, and Sallust were their historians.

Governments, destitute of solid foundations, will always be playthings. Scarcely had the first junta begun to exercise its authority, when the clounds gathered and the lightnings flashed around them. One germ of discontent, not dissembled was exclusion from a share in command of the deputies of the people, appointed to give a legal existence and form to the new political (8) structure. This exclusion excited personal resentments; and those who deemed themselves injured, endeavored to avenge themselves in the name of the public weal. The events which occurred in consequence will be recounted in the course of this sketch.

These provinces were now theatres of civil war. The Paraguayans had not yet resolved to sacrafice a tranquil slavery for a liberty precarious and *tumultuary*. The first junta perceived that this state of that province was the consequence of fears, inspired by its governor Velasco, and felt it a sacred duty to open its eyes to its interest and honor. This was the object of another expedition commanded by Don Manuel Belgrano. It was at first unsuccessful, but what three bloody battles failed to win, was the fruit of a negotiation, most sagaciously conducted by the general. The Paraguayans began to be persuaded, that the zeal of Velazco, was refined selfishness, obedience to him, meanness of spirit, and submission to Spain contrary to the public good. The movements of the enemy at Monte Video, until now, though siditious, were unimportant. The arrival there of a viceroy for Buenos Ayres, inspired the hope of humbling us.—Idiots! to indulge such hope. We knew Elio and counted upon his follies as most efficient auxiliaries. This soldier, whose motto was "boldness," promised the regency to convert the capital into a dungeon of slaves. It was natural that silly and extravagant expectations, should be indulged and promulged to his employers by a vice roy incompetent to fill the most petty office. Elio had the insolence to require the junta to recognize him; but this body treated his demand with the contempt it deserved.

1811.

In consequence of this repulse, Elio declared the junta rebellious and answerable for all the blood that might be shed in the contest.—

His first effort was to reduce the Orientals to obedience. But these brave men taught him what daring spirits, in robust bodies, could effect. The conquest of Gualeguaichu and the victory at Soriano, were merely preludes to actions more glorious.

Certainly the fury of Elio was far less dreadful to the state, than the internal dissentions which now convulsed it, while the junta of deputies, labored in performance of its duties, new plots were hatched, during a repose which was *compulsatory*, by a rival party.—It was attempted by black calumny, to abuse credulity in order to render the deputies suspected. It was whispered that they intended to sell their country to the Portuguese for money and office. A base slander (9) which never would have obtained believers, were it not true at all times that the great characteristic in party, is blind deference to leaders. The junta did not yield to this persecution—but the deputies, stigmatized as traitors and tyrants, opposed no other shield against calumny, than a faithful discharge of duty.

Nevertheless they were still victims of detraction when a revolution, known as that of the 5th and 6th of April, in which the government had no share, took place. This event afforded no pleasure to the junta—It knew that in the ordinary course of the passions one revolution engenders others of the same kind, for when parties are once formed, interest and justice become with them convertible terms. The junta had always been persuaded, that the true object of the revolution onght to be to secure the people the advantages of a free government It held the opinion, that persons in authority if unrestrained by the jealous and unceasing attention of colleagues, invariably become corrupt. That after being guilty of usurpations, to become despotic became necessary to insure impunity: And that from violations of the laws to despotism, is but a step. Supported by these reasons, and the unanimous vote of the people, it introduced the government of juntas into all the provinces.

Animated by the same spirit, it introduced also *the liberty of the press*. The junta was of opinion, that the time had arrived, when thought ought no longer to be imprisoned by the will of the magistrate, who in the words of a celebrated genius, with the cord that binds it in his hand, measures and fixes the distance of its flight.

These cases were succeeded by others of a different nature and importance. To excite the Orientals to resist their foe, and not to be at the mercy of the furious Elio and his rapacious followers, among the different objects, soliciting attention, deserve the preference. By repeating frequently, the words Sparta, Rome, liberty, patriotism, and by aid lavish and opportune, we had at last the consolation of interesting them in the salvation of the country. The taking of Canelones by Don Benancio Benovidez, and the victory of San Jose, gained by the troops of Don Jose Artigas, will always excite delightful feelings. But the junta expected to gather the best fruits after, from policy, it had transferred the command of the army and sent re-

inforcements to colonel Don Jose Rondeau; nor was it deceived.—The towns of Minas, San Carlos and Maldonado yielded successively to the conqueror Don Manuel Artigas, and the Orientals rising in mass, invested the walls of Monte Video. Success so brilliant filled Elio with consternation, and made him deem it necessary to stop the patriots, in their prosperous career, by some great effort. Twelve hundred of his best troops, with a great train of artillery, occupied Piedras. Notwithstanding their superiority in numbers, arms, situation and discipline, they were conquered by men, who, animated by the glory of conquering, forgot their nakedness, weariness and all the horrors of death. The general, Don Jose Artigas, manifested on this occasion that ardour and coolness with which he inflamed or moderated the passions of his troops as circumstances required.

These victories and general Rondeau's removal of his head quarters to Mercedeo, for the purpose of besieging Monte Vedeo, filled Elio, till then over confident, with despair. He inquired of the junta if an accommodation were possible, and offered to purchase even with the humiliating sacrafice of his office; while the junta was deliberating upon this proposal, it received intelligence that Paraguay had at last awakened from its lethargy, and turned against its oppressors arms placed in the hands of its sons, in order to be used against the country, thus profiting by its error. This pleasing information produced a reply to Elio, which shewed him that nothing remained for him but submission.

This energetic reply lighted up anew his flame of war. Elio, hearkening alone to the rage which filled his bosom prepared to bombard the capital. Michelena, with a squadron of five ships, appeared off the harbor and informed the junta of his hostile intent. This body unintimidated boldly answered in reply, "Proceed and receive practical lessons of the energy of a people, whose courage and resources are incalculable." The bombardment was executed but with more injury to the enemy than to the capital.

It is now time to turn our eyes to the army of Peru. Thus far it was successful. Casteli with six thousand men under his command in the vicinity of Desaguedero, expected decisive events, which would cover our arms with glory: (10) But, instead of adopting measures suitable to his circumstances, he entered into useless negotiations, and obtained an armistice which Goyeneche perfidiously turned to his own advantage. Six days before it expired, the armies of the country were attacked in Guagy and Chibiraga, points, distinct and distant from each other. In the first battle the enemy was victorious; in the second (at Chibiraga) neither party conquered; but the dispersion of our army left the foe master of the field of battle on the following day. Our auxiliary expedition, being thus unfortunate, the enemies became masters of upper Peru. The junta was undismayed by this reverse of fortune. In its proclamation to the people, it reminded them that the Roman Senate after the defeat at Cana, thanked

the consul Varro, for not despairing of the republic, and declared that it did not despair. This proclamation circulated throughout the country, roused the people to generous exertions.

It is proper here to narrate the capture of the Island of *Rotas*.— The besieging army of Mont Video was greatly in want of powder, and this island contained a quantity equal to what it required. Although the attack was extremely hazardous, it was made with sagacity and valor by Don Jose Quesado, commander of our troops, and crowned with success. He abandoned it after spiking the cannon, bringing with him twenty quintals of powder.

We had not only to contend against the Spanish troops, but also to be on our guard against a stranger whose ambition was well known. Our revolution had early awakened the policy of the Portuguese, and the court of Brazil under the pretext of preserving in favor of Ferdinand the 7th, the integrity of his dominions, desired to get possession of his South American territories in order to secure the rights which might accrue to the Princess Carlota. The junta consinered that if Portugal refrained from doing what both her fears and her ambition prompted, it would be a phenominan in history.— It therefore, mistrusted this power, and took all the precautions, prudence dictated to renew Elio's demands for assistance unavailing.

The court of Brazil caused its troops to enter the territory of the state, but, before it resorted to arms, made experiment of what it could effect by policy. Removing at last the veil that had enveloped its designs, it proposed to the junta to purchase by voluntary submission, its acknowledgment of the independence of La Plata and its solemn engagement that even if Ferdinad recovered the Spanish throne, it should not be again subjected to the authority of the mother country. The junta considered that it would merit public hatred and vengeance, should it hearken favorably to a proposal with which it could not comply without imbicility and baseness. Although, since the victory of Goyeneche had made him master of Peru, almost environed with foes, the junta thought only of putting into requisition all the resources of the country, and when these failed to bury itself beneath its ruins. A little less folly on the part of Elio, would have placed him in a situation to open a negotiation (as he proposed) with the junta, to have assisted and been assisted by it against the Portuguese, and to have settled satisfactorily all matters in controversy. From the various sources for bettering the situation of the country which suggested themselves to the junta, it selected that of reforming the government. We had long experienced the evils of a system disproportioned incapable of commanding means edequate to the ends to be effected, and destitute of the power necessary for putting in motion, and directing the machine of government. The exclusion of the deputies from a share in the government, which we have before related, may have resulted from artifice, precipitation or other cause; but it is certain that to have admitted them all, would have been incom-

patible with the secrecy, celerity and vigor, without which to govern well is impossible. To obviate the inconveniences resulting from the want of these essentials, the junta determined to create an executive power which, in the language of the sapient Neckar, "Should in the body politic represent that mysterious power which in man causes the action to correspond with the will." The consideration that when the executive authority has no just limits, the state is but a confused heap of oppressors and oppressed, induced the junta in order to temper it to reserve to itself with the title *guardian of the public rights*, the power of legislation, not however to its full extent, for it could be thus exercised only by a national congress, but merely to provide for exigencies, to restain the operation of laws prejudicial to the state, to deliberate upon important affairs, and to calm the distrust in their governors with which growing fondness for liberty inspired the people.

With these limitations, the junta created an executive power, vested in three persons, who were Dr. Don Juan Jose Paso, Don Feliciano Chiclana, and Don Manuel Sarratia. If these new magistrates would have respected the barriers that limited their power, they would have spared the capital a tumult, the deputies an affront, and their own reputations a death-wound. From a reprehensible desire of authority without the proper counterpoise, they stigmatized the regulation made by the deputies, in virtue of the power they had reserved, "as a code calculated to precipitate the country into the abyss of ruin." The deputies being made the victims of public disorder, their place in the government remained vacant. The manifests issued in justification of this measure could easily have been refuted, but the deputies, aware, that when the feelings of the people are in a state of irritation, it is in vain to appeal to them for justice, wisely trusted their defence to events, which, they were confident, would sooner or later, make apparent their innocence They did not miscalculate: for the prosperity subsequently enjoyed by the country under a political system, very simliar to the one they proposed, has completely refuted the calumnies of their adversaries.

It is impossible in a sketch like the present, to give a full view of the perturbed state in which this violent measure left the capital. It was divided into factions familiar with every kind of petty artifice. Bitter invectives, false relations, exagerated fears, were employed to obtain whatever they deemed promotive of their interests. "Each party" says an intelligent observer, "strengthens itself by railing at, and calumniating its opponents. Party zeal gives reputation to factions, and to be deemed by them a man of worth, it is sufficient to be one of them." The most despicable persons were selected for chiefs, for the absence of talent and honesty ensured their *innocuousness*. The situation of the capital was truly deplorable.

In this state of things, the sergeants, corporals, and soldiers, of the first regiment, openly mutinied and jeopardized their safety, by in-

discreetly attempting to prevail against their officers. The capital was converted into a field of battle. The mutineers were compelled to surrender, and eleven of their number were executed to punish this outrage against the laws. The government did not confirm their sentence with dry eyes, but it knew that rulers invariably bring their authority into contempt by giving impunity to criminals.

Fear and trouble mingle with the very elements of unstable governments. The deputies of the people retired to their hearths, after they were left at liberty to do so, by their exclusion on the 5th and 6th of April from the government. The intractable Bishop Orellana by his hypocrisy, obtained his restoration to a chair from which his crimes excluded him. These occurrences augmented distrust and jealousy. When government adheres to a party, it makes, says a sage, the political bark to incline to one side and accelerate a shipwreck in which it is also lost. It is true though, adds he, that neutrality is not always warranted by justice, but rather by ambition, which standing aloof from disorders, draws from them its greatest advantages.

While the bosom of the country was thus torn to pieces, the extremities were in no better condition. It is certain that in consequence of an almost general insurrection of the Indians, the district of Paz was recovered, the city besieged, and the army of Lombera routed: it is also true, that the brave Don Estevan Arce, made himself master of Cochabamba. But notwithstanding these triumphs, the conqueror of Guaqui, retained his conquest. The retreat made from Potosi by Colonel Don Juan Martin and Pueyrredon, with the remnant of the army and wealth of the country, was executed so heroically, that it deserves to be taken for a model. It is only given to intrepid spirits to make themselves respected in the hour of danger.

The Banda Oriental presented nothing which could tranquilize us. It is true, that the Portuguese, though acting with their accustomed dissimulation, had not gathered its expected fruits. Their troops had approached Monte Video, with the hope that circumstances opening to them the gates, she would change her language even if her feelings remained unchanged. Experience shewed that the projects of cabinets sometimes fail. A treaty of peace made between this city and the capital, by which it was agreed, that upon our troops raising the siege and retiring beyond the Uruguay, the Portuguese should evacuate the Banda Oriental, disconcerted all their plans. Still they did not despair. As remarkable for perfidy as we for good faith, by a scandalous invasion on their part, they renewed the war, and gave the troops of General Aartigas an opportunity of shewing these foes that none offended them with impunity. It was evident, that to obtain Monte Video was the object of the Portuguese. Their seductive influence induced her to break the treaty and renew the blockade of the capital.

It is only the pusillanimous that are disheartened by danger. *Men* count the number of their efforts by their reverses. Fortune en-

ters into their calculations in doubtful cases, but they rely solely on virtue. The government, convinced that victory is not essential, and that brave men when reduced to the greatest straits, are most efficient undismayed, strained every nerve to save us. The scarcity of money was supplied by a confiscation of enemy's property, and an annual contribution of six hundred and thirty-eight thousand dollars; an *estado major general* was created; a methodical plan furnished for reforming the army; subordination was better established, the liberty of the press confirmed. The army of Peru reinforced, and additional troops opposed to the coalition of our enemies

While these measures were adopting, a new occurrence relighted the torch of discord in the capital. By a regulation of the executive power, an assembly to meet at stated periods was organized, for the object of deliberating, during a session positively limited to eight days, upon great state affairs, and of selecting every six months a successor to the chief of the government, whose term of service expired. As love of liberty had generated inquietude and distrust, it was difficult to take any step without interrupting tranquillity. Don Juan Martin Puerreydon was elected. The assembly considered that it could not without imbecility refrain from assuming supremacy over the general government and all the provinces of the union. This was stigmatized by the executive as an excess subversive of the law, which gave this body being. The assembly urged that the law cited against them was the work of force; force terminated the contest, the assembly was dissolved, and the citizens still more disunited.

Discord, the tendency of which is to subvert all authority, debilitates the state. But this does not happen when it is awakened by love of liberty. Nothing is more natural than that the people should observe with fear, the hand which governs them, but it is a fear neither enervating courage, nor weakening understanding. The confusion, into which general Arce, after the rout at Astete, and general Artigas, after a victory over a division of Portuguese, put the generals Goyeneche and Sousa, ought to have made them know, that attempts against liberty, are always vain. The court of Brazil, convinced of this truth, perceived that it would be best for it to be upon terms of amity with us. It, therefore, by its plenipotentiary, Don Juan de Redemarker, submitted proposals to us, to which, under the guarauty of Great Britain, we acceded.

Although Goyeneche, in Upper Peru, was filled with grief by the desertion of his troops, and other repeated misfortunes; pride would not permit him to abandon his conquest. Thus circumstanced, availing himself of our retreat to Tucuman, from the right bank of the river Suipacha, he resolved to attempt the conquest of Cochabamba. With the greatest and best of part of his troops, he marched, routed general Arce, and approached the city. Antezana, president of its junta, perceiving himself without resources, offered submission, and implored the clemency of the conqueror. This proceeding,

though prudent, was viewed with extreme disgust by a magnanimous people, who had acquired so much glory. Although destitute of solid support, they preferred the horrors of war, to the advantages of a humiliating peace, and commenced an irregular fight, in which the women (12) intermingled with the men. The contest was very unequal: after some resistance, they yielded with considerable loss. This gallantry was sufficient to incite Goyeneche to the most base and cruel vengeance. The town was delivered up to plunder for three hours, which afforded opportunity for the commission of every sort of crime. That the soldiers should have been guilty of monstrous excess, is not surprising, since (13) Goyeneche himself, incited them by his example. It is a fact, well authenticated, that entering with one half of his cavalry, the gate of the mother church, the sacrament being exposed, he killed, with a stroke of his sword, the Fiscal Lopez Andreu, who presented it trembling with terror.

He then pursued boldly, the several precedents of tyrants: by banishments, confiscations and executions, this homicide, rivalled Nero in infamy. In the places subjected to his yoke, a gesture, a clouded visage, an indiscreet word, a tear, stealing down the cheek, was a crime of state. It may be remembered, that eleven of the dispersed soldiers of general Arce, were sacrificed to his vengeance at Chuquisaca. It was necessary for the timid to be encompassed by men like themselves that they might not encounter, on which ever side they turned, this head of Medusa which froze the heart. But, in general, he failed to obtain the expected fruit from his barbarous policy. He inspired more hatred than terror. On all sides his troops were attacked with fury.

While we are drawing near the moment, when the arms of the country achieved more important victories over the enemy, let us notice other successes, more nearly relating to the capital.

The measures of the Portuguese we last mentioned, and the obstinate resistance of Monte Video, induced the government, to send Don Manual Sarratea to the other side of the river, as its representative and general. The primary object of this mission, was to renew the seige of Monte Video, and to set limits to extravagant pride. The success of this undertaking depended upon the cooperation of the eastern with the western troops. But the appointment of Sarratea was not approved by general Artigas, and his jealousy impeded the execution of this project. But at last, after some opposition from Agui and Salto Chico, the union, which should ever subsist between the several members of the same state, was in fact obtained. Some troops joined the army, though slowly, and bodies of men were stationed in the vicinity of Monte Video, by general Rondeau. The governor, Vigodet, perceived that this new siege, was about to produce inevitable misfortune. Knowing that all our forces had not united, he formed the design of surprising our camp, and executed it with vivacity, at the head of two thousand men. In this history

are recorded, few days more glorious, than the 31st of December, 1812, in which our general, his subalterns, Soler, Ortiguera, Quintana, Eocalada and other officers, manifested a valor and intelligence worthy our cause. Their efforts made the audacity of the enemy degenerate into cowardice. Being very roughly handled, the foe retreated, leaving dead on the field of battle, major general Muesas, with many officers and soldiers. Many prisoners were taken.

It was decreed that our freedom should be purchased with blood and with danger. The rejoicings for this victory were mingled with astonishment at the discovery of a most atrocious plot. A considerable number of European Spaniards, resident in Buenos Ayres, had confederated to cover it with havoc and mourning. These perfidious associates held their treasonable meetings in profound secrecy and adjusted a plan so inhuman, that posterity will be unable to read the account of it without shuddering. The members of the government, the magistrates, the most zealous Americans, and even European Spaniards, friendly to independence, were to be beheaded on the scaffold. Those who escaped from the carnage, were to be banished from their habitations, to make room for Spaniards from the interior. The provinces, these assassins expected, would speedily be subjugated to their authority. Martin de Alzaga, a man formed by nature for crimes of this sort, had the direction and execution of this atrocious conspiracy confided to him. For the sake of humanity, the tutelar genius of the country defeated the plan of these conspirators. At the very instant they were issuing forth to commence the work of desolation, they were discovered and arrested sword in hand. When this affair became public, indignation could be read in every countenance. By the assistance of the citizens, the principal criminals were apprehended. The government subjecting these disturbers of the public peace to the utmost rigor of the law, inflicted on those the punishment they designed for others.

While we were rejoicing at our escape from so attrocious a plot, we were still apprensive of being assailed by an army, which, considering our weakness as part of its strength, menaced us from Jnjuy and Salta. Three thousand men, with three pieces of artillery, commanded by general Don Pio de Trestan, a native of Arequipa, and second in command of Goyeneche, fell upon our army of Tucuman, amounting to only sixteen hundred soldiers, the greatest part of them heard in this battle for the first time the whistling of balls. Only the most daring could hope for victory. General Belgrano, who united the most insinuating sweetness of manners, with the most rigid justice, possessing too the art of penetrating the designs of the enemy, and concealing his own, at the head of a patriotic band of the vicinity, decided the fortune of the day. Colonel Don Raymon Balcarce, also signalized himself; where the battle most raged, there was he to be found. The other officers also entitled themselves to their country's gratitude. As if they had not been humbled in the action of the 24th

of September, the enemy offered us a new insult on the following day. Conquered as they were, without artillery, munitions or baggage, they dared demand the surrender of a town to which the infantry had retired with part of the cavalry. The major general Don Eustoquio Diaz Velez, who commanded there, was one of those men who live only for their country. This energetic reply put to flight the hope, which the enemies were silly enough to indulge, and forced them to a disorderly and shameful retreat.

The news of this memorable victory reached the capital, when it was convulsed by a new commotion. The spirit of party we have so much lamented, on every change in the government produced some disturbance. In this state of things, says an elegant observer, no one grasped the command but an adventurer, destined to fall by reason of his very elevation. To give a successor to the chief of the government, whose term of service expired, the assembly met and chose Dr. Don Pedro Medrano—a popular commotion ensued. The consistorial assembly re-assumed the authorities of the people—a new government was appointed, compossed of the citizens Don Juan Jose Paso, Don Nicholas Pena, and Don Antonio Albares Jonte and was recognized.

Power is a mere nullity, if those, who ought to obey it, think that in all cases they have a right to set in judgment upon what it commands. This was the situation of the state. Instead of having recourse to the energetic measures necessary to support governments, the new government weakly resorted to decrying the one which had been subverted, to promising great advantages from the subsisting one. It believed that a general assembly with unlimited powers was indispensably necessary, to give constitutional existence to the state, and summonses were issued for this purpose.

This step being taken, it turned its attention to the internal and external security of the state. The European Spaniards had not taken learning from the examplary chastisements we had inflicted upon them. More obstinate than ever they confederated again for our destruction; the conspiracy was discovered, five of the traitors were executed, and their bodies exposed to public view, as a salutary warning to rash men.

1813.

This desperate plot originated in a criminal combination between the Spaniards resident in Buenos Ayres and Monte Video. Terrified by the siege of the last mentioned place and goaded by pride, upon Don Manuel Sarratea's withdrawing from the command, terminated that quarrel, which, the empoisoned source of a thousand evils, prevented the complete re-union of the Oriental troops with the besieging army. The besieged, who always retained the hope of profiting by our discord, were filled with consternation by the defeat of this conspi-

racy. Ever obstinate, they repeated their sallies, but the besiegers, headed by Soler, Villarino, Terrado, Cruz, Ortiguena and French, repelled them all.

The possession of Monte Video was important to the Spaniards, in prosecuting their scheme of subjugating us. Availing themselves of their marine they infested our coasts, and endeavored to recover in brutal inroads, the reputation they had lost in regular campaigns. With the confidence their superiority inspired, they landed two hundred and fifty men in the vicinity of San Lorenzo. They speedily perceived that they had landed only to augment their misfortunes. Attacked by a force as inferior in numbers, as superior to them in bravery by general San Martin, who contemning death, knew how to win the favors of inconstant fortune, they were completely routed.

This victory was soon followed by that gained by the arms of the country, over the army of Tristan. This general fortified in the city of Salta, perhaps, hoped to repair his past misfortunes by future success, in his criminal designs against his country. The conqueror of Tucuman sought him there with his army, filled with the enthusiasm liberty inspires. The signal for battle was given, and it continued for three hours and a half. The combatants availing themselves of all that genius, science, valor, nay even desperation could contribute to victory; we at last gained the battle. In the heat of the fight, major general Dioz Velez, was severely wounded, but not prizing so much a prolongation of his days, as to risk for it the loss of the battle, he concealed his wound and remained on the field, until his strength entirely failing him, he was forced to retire. In this action general Don Martin Rodriguez and the *commandantes de division*, Donego, Saperi, Pico, Forest, Alvarez, Pedriel, Zelaga, Balcarce, Rrodriguez, Arivalo, &c. were much distinguished. General Belgrano, being strongly urged by Tristan and his troops to set them at liberty, complied. This general, doubtless, thought it would be glorious, to give freedom to men who had endeavored to enslave us, and that it would be impolitic to let slip an opportunity of conquering by clemency, the hearts of those whose bodies his brave troops had by force subdued. For this and other generous acts, they made a base return. Freed from captivity, they employed in seducing the people, the time they ought to have devoted to proclaiming our generosity, and manifesting their gratitude.

After the victory of Salta, the tyrant Goyeneche fled precipitately to Oruro, thus relieving from suffering Potosi, Charcas, Cochabamba, Santa Cruz De la Sierra and other places. The fear this defeat inspired, caused him to supplicate general Belgrano for an armistice. The moderation of this officer, which no success could effect, induced him to grant it, but the perfidy of Goyeneche soon frustrated it.

Our country was now advancing by rapid strides to independence, we were led to think so from these victories, and principally

because the national assembly was organized and commenced its session on the 31st of January, 1813. This body thought it a glaring inconsistency, for the nation to make such sacrafices for liberty, and still to shelter slavery in its bosom. The situation of the country not permitting this evil to be corrected at once, this assembly decreed, that from the day of its creation, all children of slaves should be born free; thus in part repairing the injury committed against nature, and immortalizing its birth day.

It did itself no less honor by the abolition of *tributo* and *mita*, which were odious permissions to commit every species of crime, and the abolition of which had been decreed in 1811. These benificent measures were no less politic than just. The Indians, whose services we needed, were thus conciliated.

The celebrated victory of Salta filled with surprise the vice-roy of Lima, and made him resort to the usual measures of alarmed despotism. The general Pezuela, took the command of the army of Goyeneche, and with a reinforcement, took up his head quarters at Orruro. Pezuela undoubtedly possessed military talents far superior to those of Goyeneche, and if towns which had sworn to be free, could have been subdued, he would have achieved the odious victory.

All measures preparatory to a battle between the opposing armies were taken. The victory gained and the flame kindled by the spark of liberty in all parts, not even excepting Lima, presaged a happy issue to the patriots. But perhaps, to give us lessons of moderation and prudence, the Almighty decreed that we should lose the battles of Vilcapugio and Hayouma. Upper Peru was thus snatched from our hands. Pezuela extended his conquests even to Juguy and Salta, and the remnant of our army took shelter in its former place of refuge, Tucuman.

But this imprudent contest could not impede nature in her course. Our felicity was the offspring of reverses, which corrected our inexperience. From this fatal moment, a new enthusiasm for the country, and a new order of things gradually established, produced the happiest effects. The Cochabambinos, full of the fury desperation inspires, retired to Valle-Grande. Although one of the reverses incident to warfare had tried their fortitude, the victory of Florida gained over a body of one thousand men, by general Warnes, in conjunction with his cruecenos, checked the daring march of our forces. The flame was rapidly communicated. The same Warnes marched to Chiquitos, where he shut himself up with the royal troops. General Camargo defended himself in Chayanta, destroyed several detached parties and preserved the province from the detested yoke. —Padilla established his head quarters at Yampamez, routed Tacon, in many encounters, and changed the aspect of the enemy's affairs. The Indians made great exertions to prevent the yoke from

which they had escaped, being again imposed upon them, and tasted the pure pleasures of liberty.

After garrisoning several places in Peru, Pezuela brought a force equal to what he left there, to Juguy and Salta. Parties of the inhabitants under the orders of the captain Seravia, and of the advance under their *commandante* Guemez, after the droves of horses, and provisions had been withdrawn to places inaccessible to the enemy, attacked them whenever they moved, and wherever they were posted. Those of the enemy, who imprudently left the main body of their forces, were instantly made prisoners by our parties. Never was partizan warfare better conducted, and more successful. general Pezuela saw with bitterness his laurels wither, and to escape the ruin with which a half starved army menaced him, retreated, first, to his ancient posts, and there, filled with apprehension, retired to Peru to succour there the terrified royalists.

He misled some patriots by blandishments, places, and promises, but always distrusting them, kept them in subaltern stations, although the importance of their services entitled them to the first offices. One of these, Don Saturnio Castro, a native of Salta, whose efforts had cost his country dear, felt his indignation redoubled, when he cast his eyes upon his wounds, and impelled by wounded self-love, hearkened to the salutary councils of reason. In this state of mind, he determined to avenge his country, and himself, by a plot against the oppressors. It was discovered, its author arrested, and condemned to death.

Pezuela was unnecessarily cruel and vindictive. Enthusiasm for the country daily gained ground. The city of Cuzco at last sundered its chains, and new Peruvian heroes espoused the cause. Pinelo, the *presbitero*, Dr. Munecas, the king's brigadier, Pumakagua, and Angulo, joined the patriots, and caused an almost general revolution in public opinion. The two first triumphed at La Paz, but their lives and those of their troops were more endangered after the victory, than during the battle. The enthusiastic Spaniards conceived the project of burying them under the ruins of their laurels. These barbarians had familiarized themselves with every species of crime. They poisoned the springs, and formed two mines, for the destruction of the patriots. Their foresight was not sufficient to apprise them of the horrors that environed them. One of these mines exploded, and the death of a hundred and fifty persons (some say three hundred) was the melancholy result of this treachery. The people who could only think of taking vengeance for this last, and worst of their atrocities, put to the sword, all the Spaniards with their governor Valdehoyos. In recompence for the risks they had incurred, these brave men deserved to be the arbiters of their fortune. But she is by nature a jilt, who denies her favors when most needed. Pinelo and Munecks left La Paz, and uniting at Desaguedero, formed a body of eight hundred men, with which they opposed the

troops of Pezuela, who marched in pursuit of them; battle was given, and the enemy was victorious, by reason of superiority of numbers.

The Indian Pumakagua marched upon Arequipa, that noble city, which stifling its feelings, was enslaved. With manly courage, he quickly engaged an army of more than a thousand men, routed it, took prisoners its chief Picoaga, the governor Moscozo, and Lavalle, who being conducted to Cuzco, were put to death. More than two hundred Spaniards were sacrificed to a just indignation. The victor was compelled to march to Cuzco, by the defeat of Pinelo and Munecas. Ramirez, a name that will be eternally infamous, pursued the patriots furiously. The retreat of Pumakagua left the passage to Arequipa open to the royalists, and afforded an apportunity to repeat the enormities perpetrated at La Paz.

Another of the Angulos had displayed his energy at Guamanga, routing four hundred *taleberinos* detached by the vice-roy of Lima; but the capture of Arequipa by Ramirez, called his attention to Cuzco. This great city was a prey to disorder. Nothing could support its wretched existence. There the three Angulos were beheaded, and their heads carried upon a pike to Sicuani.

A reform of the government, reducing it to a single director of the state, in the person of the citizen Don Gervasio Posadas, placed in the capital great obstacles to the vibrations of the passions. Titus Livius, observes, that Rome would have perished, if from a premature love of liberty, it had in its infancy abolished regal power. The public authority was strengthened by the politic measure of trusting the affairs of the state to the activity of a single individual.

Our Oriental army rendered itself more respectable by a stroke which proved its vigilance, and its firmness. The Spaniards of Monte Video, losing the hope of advancing their cause by open warfare, had recourse to assassination. A conspiracy of their agents was discovered in our camp, and the traitors sacrificed to the public security.

1814.

But this fortunate discovery, did not free the state from all peril, for in its bosom, a storm was brewing, and ready to burst. General Artigas, that singular man, who united to extreme sensibility, the appearance of coldness: a most insinuating urbanity to decent gravity: a daring frankness to courtesy: an exalted patriotism to a fidelity at times suspicious: the language of peace, to a native inclination to discord: in fine, a lively love of independence to most extravagant notions as to the mode of achieving it: this man, we say, disgusted with the government, because it bestowed rewards upon those he expected to see chastised, had already sowed the seeds of civil war among the troops. This great ascendancy over the Orientals, compelled them either to seek his amity or to tremble at his enmity.—

Those citizens who loved order, labored with zeal and dexterity, to extinguish a flame menacing ruin to the state. This end appeared to be obtained by an Oriental congress, which general Rondeau convened, in the name of the government, for the puspose of nominating deputies for a national congress, and a provincial governor. All was on the eve of being verified, when general Artigas, as chief of the Orientals, commanded, in the name of the same government, that the electors should present themselves at his head quarters in order to receive instructions from him. This proceeding so strongly savouring of despotism, offended every one. The electors assembled in the chapel of Maciel, and fulfilled their trust. The real disposition of general Artigas then discovering itself; he annulled the congress, thus assuming absolute power; but this daring measure had no effect upon what this body had done. The selection of deputies, and a govenor, was celebrated in all the encampments, and the last named officer began to exercise his functions. General Artigas viewed these measures with a hatred, lively, as dissembled, and prepared to avenge himself. Under various pretexts he withdrew his country, and at last, in the garb of a countryman, deserted his post, thus leaving exposed the right of our line. This rash proceeding made it apparent, that he preferred his own interests to those of his country But many officers, and others of the Orientals, did not follow this pernicious example.

It is not easy to conceive the terrible confusion into which this event threw the besiegers. Three times orders were given to raise the siege, and as often they were revoked, so great were the evils on each side. At last the encampments were abandoned with incalculable loss, and unutterable grief. The enemy, upon discovering this, were filled with surprise, though they did not abandon themselves to immoderate joy, because they feared it might be a feint; but the people less cautious, hurried away by the desire to breathe fresh air, went in crowds without the walls. From proper foresight, the redoubts of our advanced parties had not been abandoned; French, officer of the day, ordered a most unexpected discharge of cannon, which made the enemy attribute to stratagem, what resulted, in truth, from our weakness. The terror this created in the city prevented sallies being made.

This advantage, combined with the lucky arrival, on the same day, of supplies, and the consolitory information, that a small squadron was equipping to transport a reinforcement, changed the appearance of things. The public mind was tranquilized: the fugitives returned in parties: the people of the vicinity tendered their assistance, and general Rondeau knew how to profit by these inestimable advantages; the siege was renewed more efficiently than it ever had been.

The director, Posadas, viewed the desertion of general Artigas with a hatred, carried beyond the bounds of prudence. Taking counsel from his anger, he thought that justice should take its course.

By a solemn decree, he declared him infamous, deprived of his offices, and an outlaw, and incited the people to pursue him as a duty they owed the country; in fine, believing that he could stifle rebellion in the blood of the rebel chief, he set a price upon his head, offering six thousand dollars to whoever would bring him in, alive or dead. Experience has shewn, that moderation would have been far wiser than this violence. The director took a wrong course; whether Artigas was as guilty, as he thought him, the readers can decide. But even if he was so, what other effect could impotent rigour produce, than contempt of authority, and obstinacy in the delinquent? Even this was not all. The Orientals had enthronged Artigas in their hearts: as that which is abhored, is deemed always to be in the wrong, the very proofs upon which the director founded his decree, were, with the partisans of Artigas, so many evidences of his innocence. This proscription became that of a vast district, and reconciliation almost impossible. God grant that we may not see this sad truth perpetuated.

The army of the capital, and the naval force of the country were at this time, considerably augmented. The troops demanded to be led to battle; the fleet panted to dispute with the enemy, the command of the river. In short, the fortune of war gave us decisive successes. Two men, with all the talents required by the ends for which they were destined, the secretary Larea, and Colonel Alvear, being substituted for general Rondeau, concerted the capture of Monte Video, and all obstacles yielded to their activity, and the accuracy of their calculations. A naval battle, in which Brown, commanded our ships, and defeated shamefully the Spaniards, who were stronger in vessels than we, made us masters of the port. To give the finishing stroke to their misfortunes, Monte Video, shortly after yielded, notwithstanding a criminal correspondence between Vigodet, and the patriot Torguez. Thus was despotism deprived of its strong hold.

Our Peruvian army was now commanded by general Rondeau, who having sustained with credit, the siege of Monte Video, had not the glory of triumphing over it. The government transformed the command of this army from him to the conqueror of Monte Video. It is certain that Alvear united all the qualities of a warrior, and possessed a military experience, which he owed more to genius, than to years But this change of command was viewed by the chief of this army, as the measure of a policy without forethought, and an ambition without limit. Something further contributed to render it odious, and this was the alarming suspicion that the country was about to be shamefully betrayed by treachery. This suspicion was countenanced, by the anticipated mission of Don Ventura Vasquez, confidential officer of the government, to place in the hands of Pezuela, certain letters: his exclusive nomination to treat with this enemy: the sending commissioners to the Spanish court: and the appointment of new officers in this army. The public mind was thus dis-

tracted with doubts and apprehensions, when general Rondeau abdicated the command: nothwithstanding which, his subalterns coalesced; the regiments confederated, and Alvear was not admitted.

This event was foreseen. A general disgust portended and precipitated it. It has often happened, that people have refused to submit to despotism, and not known how to use liberty. The general, thus rejected by the army, returned to the capital, and was created director. This impolitic act challenged hatred, where there was already sufficient to vengeance.

This election caused an almost universal murmur, which presaged important movements. The reasons assigned in justification of this dissatisfaction, were, that the army of Peru, not being able to obey as supreme director, one whom they had refused to recognize as their chief, all the terrible effects of anarchy were about to be experienced: that the capital and other parts of the country, felt too much animosity against the party, to which the director owed his elevation, to recognize him without discontent: and that under protection of the army of Peru, and general Artigas, they might dissolve an assembly disgraced by intrigue, in their opinion, and prostrate an idol, to which the tongue paid homage, the heart disavowed: in fine, that the recollection of those acts, by which the province deemed themselves outraged, might induce them to push resentment further than they ought.

These apprehensions, were, in a great measure, realized. The army of Peru refused obedience to the new director. Cordova listening more to anger than to prudence, preferred danger to ignominy, and withdrew from its connection with the capital. Santa Fee, counting more upon its courage than strength, adhered to the system of independence it had adopted, since the troops of Artigas had invaded it.

The situation of the army of Peru, was critical and dangerous. The anxiety which began to prevail as to the consequences of these dissentions: desertion veiled under the shadow of a new government; succours withdrawn: in fine, the unfortunate action of Tejar multiplied cares and alarmed the imagination. Nevertheless, general Roudeau did not lose his natural equanimity. He knew how to make the discontented hearken to reason, and to give a favorable beginning to an enterprise. Putting his army in motion, he opened an entrance into Peru, by the victories of Puesto Grande, and Mochara.

1815.

The new director perceived the cloud that had gathered over his head, and hastened to use all expedients in his power to avert it. Convinced, that hope and fear are the great exciting principles of human actions, he endeavored to operate upon the first by rewards, upon the other by chastisements. These instruments failed in his hands. The tragical death of the unfortunate Ubeda, on one of the most solemn days of worship, caused less terror than indignation,

and the triumph over the Cabildo of the capital, by compelling it to subscribe an odious proclamation against general Artigas, served only to make it resolve to prolong its existence in spite of this usage.

On the eve of a political disorganization, the director marched the veteran troops to subject the towns to a detested yoke. But the chief of the vanguard, Don Ignacia Alvarez. with three hundred and fifty men under his command, ashamed of being the instrument of his exaltation and vengeance, declared in favor of those he was sent to attack, and arrested the suspected officers, among whom was general Viana, who came to take the command. He encamped, and was joined by several detachments from Mendoza. The director, surrounded in his encampment, put into play whatever could contribute to save him in so critical a situation, but in vain; for fortune had determined to put an end to his glory and prosperity. The Cabildo of Buenos Ayres, instructed by Alvarez, and called by general acclamation to the command, assumed it. The civicos, with many officers of distinction. rallied round it, as its protectors. So many obstacles filled the director with despair. At last he yielded, and cast out of his country, was forced to beg an asylum in a foreign land. This cable being broken, the national assembly with its system of favoritism and peculation, was involved in ruin. All, even the Orientals, irreconcilable enemies of the capital, applauded a success, which appeared to be the beginning of order.

In order to give a successor to the deposed director, a body of electors was constituted, who chose general Rondeau, chief of the army of Peru, and named as his deputy, colonel Alvarez, who took the lead in the recent subversion of Alvear's authority.

His election would not have secured the public tranquillity, if the causes which disturbed it had not been removed. It was perceived, that heretofore, the executive availing itself of the distractions, or patience of the people, had gradually rendered itself absolute. Reason required, that this power should be balanced by another. Therefore a *provisional statute* was formed, and a junta of observation erected, *to watch the punctual fulfilment of this law, to cry out against the least infraction, and to resist every thing prejudicial to the general good.* It was to be regretted, that this statute gave more liberty than was compatible with the public good; but we had just escaped from one of those cruel situations, in which, the excesses of oppression prevent us from seeing those of its relief. A system of distrust, and restriction, made authority a mere political skeleton. We shall see the disorders which arose in consequence

One of the earliest advantages, expected to result from this new order of things, was the re-establishment of that fraternal union with the Orientals, the rupture of which had cost the country so many tears. The Cabildo of Buenos Ayres, regarding with indignation the proclamation Alear had extorted from them, commanded it to be burned by the common executioner, in the Plaza de Victoria.

The government also substituted moderation for the ancient system, and if the Orientals, with their chief, had been capable of perceiving the greatest enemy of the country and themselves, to be anarchy, doubtless a reconciliation would have been effected. But experience has shewn, that they had determined to bury themselves in an abyss of evils rather than yield. Without doubt too, general Artigas believed, that a calm would diminish the authority with which he had been invested in tempestuous times.

The government, fearful of seeing civil war propagated in the centre of the neighboring provinces, marched troops to Santa Fee, under the command of Don Juan Jose Viamont. This city was a key, with which general Artigas opened at pleasure the door to his seditious communications. In order to remove the distrust, and to prevent the opposition of those in the vicinity of this city, the deputy director promised them perfect liberty, and that the troops should not meddle with their domestic affairs. The death of the governor Candioti, produced much disorder. Contradictory pretensions, well or ill founded, acrimonious debates, stratagems inseparable from party, all attended the selection of the lieutenant governor, Don Juan Francisco Tarragona. The city of Santa Fee was much incensed at this appointment. What resulted from it will be seen.

Grieved at the melancholy posture of affairs in this section of the country, we were consoled by pleasing prospects in Peru: we will give briefly the principal ideas of general Rondeau's manifests. Pezuela filled with consternation abandoned his positions, and retreated to the neighborhood of Oruro. The desertion of his soldiers, and the difficulty of subsisting those that remained anounced his weakness. Our troops improved in numbers, in arms, and discipline: the insurrection of la Costa by Penaranda, and Reyes: the approach of Dr. Municas: the state of fermentation in which all the provinces were: the aids on their march from the capital; all indicated a prosperous warfare.

It was necessary that the chance of arms should be sometimes inconstant as the throw of dice, to give the melancholy shading of misfortune to this picture. Our reverses commenced with the battle of Venta and Media, where a party of the enemy attacking brigadier Rodriquez, were, most unexpectedly successful. This event seemed to give its character and color to the succeeding ones. The active Pezuela fell upon our army with the rapidity of lightning. To avoid the encounter, general Rondeau removed his camp to a rocky situation, remote from Cochabamba. Here the enemy sought him, filled with the boldness success inspires. Battle being inevitable, Rondeau took post at Sikesipi, forming a camp according to military rules. Hostilities commenced. The enemy would not have had much cause for boasting, if fortune, which a general cannot command, had not favored his cause. His left wing outflanked, his right wing almost routed, his centre almost destroyed by our artillery:

such, said Rondeau, was the state of the battle, when a series of inauspicious occurrences gave the victory to the foe, and deprived us of glory and of hope

The victory of Sipisipi, by turning the brain of Pezuela, advanced the cause of liberty. Our situation was not so disastrous as that of the United Provinces of Holland, when they caused themselves to be represented under the image of a ship, without sails, and without rudder, at the mercy of the waves, with this latin inscription, *incertum quo fata ferant.* General Rondeau, placed his head quarters at Tupiza, with the remnant of his army, and endeavored to reorganize it Our government, as if foreseeing the unfortunate issue of the battle, had sent forward troops, arms, and munitions, nor were the towns of the union at this distressful period backward in extending assistance. The brave Camargo, La Medria, Padilla, Warnes, and Munecas, by rapid incursions, shewed, that the cause of liberty would prevail in spite of our misfortunes.

The accession of strength, our cause seemed to gain, even by reverses, ought to have made Pezuela see that his hopes of reestablishing despotism, were chimerical, but he still cherished the delusion. He displayed his inhumanity, by atrocious violations of his prisoner's rights, appearing to think, that to became a rebel, was to cease to be a man, and to forfeit all claims to justice and to compassion. Even that sex (14) regarded with some respect by the most abandoned, was not exempt from his rage. Many women among them the most circumspect matrons, were banished, or immured in dungeons.

The dangers which menaced the political existence of the country, demanded an executive, sufficiently energetic, to maintain order, and to triumph over the enemy. Unfortunately the provisional statute had too much curtailed the executive power. It was embarrassed by so many restrictions, as to be prevented often from availing itself of circumstances, upon which success depends, and which must be seized the instant they present themselves, or the opportunity is forever lost. In a situation so critical, the *director suplente*, appealed to the sovereign people, and asked for a reform of the constitution. The capital, always docile, and provident, when not misled by designing men, actuated by that prudence, which dictates pacific measures, approved the proposed change, and by direct vote, appointed reformers of the constitution.

One of the most urgent objects which claimed the attention of government, was the city of Santa Fee. The disgust with which this city saw itself govered by a lieutenant governor it abhorred, the exile of many reputable citizens, the suggestions of the Oriental chief, all conduced to some violent measure. The inhabitants rising in mass under the citizen Don Mericana Vera, and aided by the troops of Baxada, civil war commenced. General Viamont was attacked by the disaffected, with all the fury, that marks insurrections, and after bloody contests, capitulated. We know not why the ca-

pitulation was not fulfilled. Cordoba adhered to its system of independence. La Rioja imitated its example, and the other cities became more or less anarchichal.

1816.

All desired a tutelary power, which, being the creature of the people, should be energetic enough to render the laws respected. This authority could only be derived from representatives of the people. The people convinced of the necessity of the change, elected them, and a sovereign congress was opened at Tucuman, on the 25th of March, 1816. Its principal care was to select a director, who would draw closely the cord of union, and direct the efforts of all to their darling object, independence. Don Juan Martin Pueyrredon, was chosen director.

NOTES.

(1) These were Casteli, Belgrano, Chiclana, Paso, Vieytes, Pena, Danagueyra, Paso, Terrada, Tompson, Vieytes, Balcarce, Beruti, Rodriguez, Donado, Prigoyen.

(2) These were colonel Seapedra, president, Castali, Belgrano, Azeninaga, Alberti, Mateu, Larrea, Morreno and Paso.

(3) They were sent to the Canaries, and were Cisnoros, Velezco, Reyes, Billota, Carpe, Danaguexra, Eschararria, Medeano, and Cosis, the fical.

(4) This junta met at the house of the governor, Concha, Liniers, Oyellana, two Oidores, Nonorarios, Col. Allende, the Asesor Rodriguez, the Alcerdos Ordinarios, the Ministro de las Caxas, Moreno and myself were present. Talone was in favor of the capital, my opinion may be seen in the Gazeta de Buenos Ayres, or in the Periodico Espanol.

(5) Except the Oidores, and Alcaldes Ordinarios.

(6) Allende, and Ordriguez were related to the principal families of Cordova, Liniers and Concha the most respectable of Buenos Ayres; some of the relatives of the two last had taken part in the revolution.

(7) The execution took place between the Post Cobeza del Tigra, and that of Lobaton.

(8) To reunite the provinces in a congress by their representatives, was the first resolve of the capitol. Circular letters having been written for this purpose by the junta, elections were holden in the most tranquil cities. In these letters it was stated, that the deputies, when elected, should be incorporated in the government. It was now the middle of December, and the deputies (of whom I was one representing Cordova) were not incorporated.

9. In support of this calumny, a letter written by the English captain Fleming to the government of Chili, was triumphantly urged. But lord Strangleford, the British embassador near the Prince Regent of Portugal, in his official letter of September 7th, to the governor of Buenos Ayres, thus expresses himself: "I can in the most authentic manner, in the name of my court, disavow the letter of captain Fleming."

(10) As Castelli himself states in a despatch.

(11) The Portuguese Contuchi was the agent in this negotiation.

(12) To commemorate the heroism of these families, and as an incitement to patriotism, an *agudante* in each corps of the army of Peru, at roll calling in the evening, calls out the women of Cochabamba, as if they ought to be presented, and a sergeant replies, they died in the field of honor.

(13) By the express orders of Goyeneche, the monastery of Santa Clara was not plundered, because he knew that the most valuable property of the town was there deposited, and wished to appropriate it to his own use.

(14) Among many others, Dona Antonio Paredez, Dona Justa Varela, Dono Felipa Barrientes, ladies of the age of nineteen—Dona Terese Bustos, the two sisters, Malarias and Dona Barbara Cevallos, were imprisoned—Dona Teresa perished in prison—Dona Barbara, was banished to Oraro, being forced to abandon nine infant children, the Malarias were also banished.

The foregoing continued down to the battle of Maipu, April, 1817.

1816.

With many, the most desirable object, was to obtain a moment of calm, during which, the supreme authority might be consigned to able hands; it was however at the very moment that the national congress was deliberating on this matter, that the tempest was heard to roar with the most violence.

In consequence of the resignation of the directorship *ad interim*, by colonel Alvarez, the junta of observation, in conjunction with the Cabildo of the capitol, elevated brigadier general Antonio Balcarce, to that station as his successor. This remedy was momentary; the measure was by no means in consonance with the wishes of the people; and by a kind of fatality which often presides over events, it was not long before an explosion was produced among materials so well prepared. The electors and elected, were soon discovered figuring together on the theatre of discord.

In the mean while, the new director *ad interim*, used every exertion to destroy the seeds of discord, which had already produced so much ill blood, between the Orientals and the capital, and to render all parties sensible of the advantages of living under the same law. Although the first attempt made by him for this laudable purpose, promised a favorable result, every means were found in the end unavailing to bring about a reconciliation.

This discord had been propagated in the manner of a contagion, and the remedies applied to restrain its desvastations, were found to possess no efficacy. The city of Santa Fee, (a) although just escaped from a bloody contest, and threatened by dangers of a more serious nature, still pursued its peculiar ideas of independence, with what may more properly be called obstinancy than constancy.

Cordova always devoted to the maxims of federalism, notwithstanding her having sent deputies to the general congress, considered her absolute submission to the capital, as unworthy a free people, and still cherished the idea of this submission being temporary.

The other provinces according to their respective situations and characters, expressed more or less their dislike to what they considered a species of subjection.

The causes of this political phenomenon, it sought for, will not be difficult to be found. The opinion most prevalent in the provinces, was decidedly in favor of the federative system, and which they were desirous of seeing realized, even in anticipation of all the essen-

(a) General Dias Telis with a body of troops, was besieged at San Nicholas.

tial and first objects of their new career. It had been the darling wish of the provinces, almost from the commencement of the revolution. One which had still greater charms for them, since they had seen it realized with so much glory in the United States of North America. For the present, however, the governments, the capital, and not a few of the more intelligent citizens, were opposed to this idea. Each of these parties supported its opinion by weighty reasons. From the statement of these I am about to make, the enlightened reader may judge between them.

Those in favor of the government already established, were of opinion, that the federative system could not be legally substituted, until sanctioned by a general congress; assuming it as a principle, that the constitution of a state, should receive its existence from the hands of the nation itself, and not from partial concurrence, and unconnected acts; that when the nation first regained its liberty, and all the provinces were united under the same government, the present was the form they adopted, and under this form it was, that the existence of the republic had been preserved in the midst of the most trying disasters. That until all the provinces could be again united, a thing by no means hopeless, it would be improper to deviate further than was absolutely unavoidable from what had before existed; and that at all events, if the preponderance of the capital was an evil, it was one which would soon be corrected, when that preponderance ceased to be necessary to the common safety. Further reasons, derived from views of policy, were added. According to the federative system, said they, each state is sovereign and independent as respects the rest, each may possess, and in reality does possess, separate interests; it is therefore to be feared, that each will rather seek what it may conceive to be its own interests, than the interest which is common to all; and in consequence of this egotism and misplaced jealousy, be involved in a common ruin. That in the midst of the alarming dangers, which threaten this new born state, the necessity of a complete union of all the parts, under the guidance of one head, for the better concentration and direction of its forces, is dictated by the plainest maxims of prudence; and where, it was asked, can this be placed with more propriety than in the capital, where the revolution itself received its origin, whence every great effort in the general cause has emanated, and which, from its position, its enterprise and intelligence, is enabled to manage the common concerns of the nation for the present, at least to the greatest possible advantage? The first thing to be done, continued they, is to place our independence out of danger; let this be accomplished before we disagree about the manner of using it. They further insisted, that it was not altogether safe, to confide in the example of the United States of North America, which had always been educated in the republican virtues, and to whom we were not to be compared, reared as we have been, under the rod of despotism; and that it would be unwise to trust the fate of the

nation, in such dangerous times, to virtues which had not yet been sufficiently put to the trial. That it would be most prudent, to leave to time and education, under the influence of a free government, to produce the same character of enlightened patriotism. Those of the federal party, contended on different principles. They admitted that the government of Buenos Ayres, the capital of the former vice royalty, had been the first to shake off the Spanish yoke, and by its influence had induced the provinces to follow its example, at the same time they alledged the repeated protestations on the part of this government, that its preponderance should be but momentary, that a general congress should be convened without delay, for the purpose of fixing the general government on a permanent basis. It was by these protestations that the provinces had been induced to enter into the views of the capital, and to place their resources at its disposal. They complained that so long a time had elapsed without performing this engagement, that their situation thus far was but little different from that under the Spanish monarchy, that they had obtained but little more than a change of masters. They did not deny the difficulty of calling a national congress during the stormy period of the revolution; but said that in default of a congress, the general government of the capital, ought to have ceased, and the provinces ceased to be swayed by it, seeing that the general voice was in favor of the federative system. Far from being inadequate to the exigencies of the times, and the objects of the revolution, they asserted that the individual acts of the provinces had contributed most to raise the character of the republic and to advance the general cause. If our dissentions, said they, have caused us discredit with foreign nations, it is to be attributed to the clashing of the government of the capital with the feelings and wishes of the provinces. That as there can be no effect without a cause, the federative system, by putting an end to these odious rivalries and jealousis, would prevent the recurrence of scenes so disgraceful. It is true, said they, the tumultuous proceedings of the capital, had generally sprung from other causes; chiefly from the inordinate thirst for office in many of its inhabitants; the ambitious turning to their advantage, even the extreme jeolousy of their liberties on the part of the people; was it just, it was asked, that the provinces should be compelled to follow these frequent and capricious changes, in which they took no part? But would not these evils have long since ceased with the establishment of the federative system? What temptations could there be to seduce the aspiring in the limited and definite powers which the federative system would present? On the contrary, what could be more tempting to the ambitious than a system which enabled those in power to be the masters and arbiters of the republic? One which would enable them to prefer their flatterers and favorites, and those who were neither, but merely happened to be about them, to able and meritorious citizens: and to consult their

private wishes more than the public good. They alledged, that in fact, the capital had thus far paid much more attention to its own peculiar interests, than to the rights of the provinces; that she had gratified the ambition and avarice of many in the provinces, in order by enlisting the human frailties and passions on her side, to sow the seeds of discord and disunion in other parts of the confederacy; these persons engaging to repress the sentiments of the people and draw them into a subordination, which accorded only with their interested views. When these things, said they, are impartially considered, how can we draw closer the chords of union under a government like the present; which by its oppressions as well as by its favors, weakens that love of country which the federative system has a tendency to foster; a system which at the same time that it leaves the citizen in the full enjoyment of that portion of liberty which the good of society does not require him to surrender, imparts enough for all the purposes of the general safety and happiness. But let it not be said, continued they, that there are no republican virtues amongst us; to what else is to be attributed the noble resolution we have taken and which we have sanctioned by our oaths, to die rather than not live free and independent? To what else that energetic and heroic resistance which has given so many days of glory to our country? And even if it be admitted that we do not possess those virtues, are they to be inculcated by the example of a government which teaches nothing but selfishness and corruption?

Thus reasoned the opposite parties. With respect to our own opinion, we should say, that from the impossibility of attaining this end without encountering the evils of anarchy and perhaps civil war, on account of the preponderating influence of the capital, it was perhaps the wisest course on the part of the provinces to make a sacrafice for the present, of their obedience, to that unity of action without which, our ultimate success must be doubtful. It is to be expected, that our enemies will labour without ceasing to regain their lost domination, and flattered by our dissensions they will be continually engaged in forming new projects to enslave us, lured by the hope that we shall be able to bring forward but feeble and divided efforts in support of our liberties. I have thus traced without dissimulation the melancholy picture of our domestic discords.

A number of the citizens of Buenos Ayres touched with the unfortunate antipathy of the provinces to join heartily in the cause of their common country, and fearing that our dissentions would form a bridge over which the enemy might pass to reduce us to subjection, united their wishes and honestly confessing that the balance of public opinion inclined to federalism, petitioned the governor intendant of the province, to strip Buenos Ayres of its prerogative, and to place it on the same footing with the other provinces. They believed that this measure would put an end to their irritated jealousies, that a fraternal feeling would succeed, enabling them to com-

plete the edifice, which they had so gloriously begun. In an affair of so much importance, the intendant in order to ascertain, with accuracy the sentiments of the people, decreed that the petition be taken into consideration in a general assembly or Cabildo to be convened for the purpose, and one was accordingly ordered to meet on the 19th of June, 1816. This unexpected event lighted up anew the imperfectly extinguished fire of discord. The junta of obvervation, although agreeing in opinion with the intendant, as to the propriety of taking the sense of the people, were not satisfied that this should be done by general suffrage from apprehension of dangerous* and tumultious agitations, they thought it would be more advisable to ascertain their will through deputies elected for the purpose. This contrarity of opinion fractured the state into parties, whose disputes were conducted with so much heat and violence, that it was seriously feared they would not stop short of an appeal to arm. Had this subject been considered unmixed with private and personal feelings, it would scarcely have given rise to a difference in thinking.

This contest although suffered to remain *in statu quo*, left the minds of the parties too much ulcerated to permit them to settle down in peace and harmony. It was at the same time so far aggravated by another dispute, that the junta of observation in concert with the Cabildo assuming the tone of authority proceeded to depose the directors *ad interim*. In his place was substituted a gubernatorial commission, composed of Don Francisco Antonio Escalada and Don Mignel Iregogen.

While these things were taking place, the troops of Buenos Ayres, under the command of colonel Don Eustacio Dias Velis, were approaching the city of Santa Fee, while at the same time a small squadron of vessels under the command of colonel Don Mathias Iregogen placed it under blockade. The arms of these two cities rivalled each other in intrepidity and courage. It would be uncandid to conceal the admiration we feel in beholding a small town like Santa Fee, without disciplined troops, and with little assistance, causing itself to be respected by its enemy, and under the direction of its chief supporting the cause of its independence. It is true the Santafeeinos abandoned their city, believing that they carried it along with them, wherever they could live free. It was not long before they besieged their invaders themselves, and caused them to experience the sufferings of famine; and by a lucky accident having made themselves masters of several of their enemies vessels, together with the commander of the squadron, there appeared but little likelihood of their being about to succumb to their invadors.

Two important occurrences which had taken place in the city of Tucuman, were of a nature to divert the current of dissention. The

* Two petitions were presented, one with one hundred and one signatures, the other with one hundred and ten.

first was the election of the supreme directorship of colonel Don Juan Martin Pueyrredon, but the exigences of the war claimed the first attention of the director, the cities of Salta and Jujui being menaced by the enemy; this of course delayed his returned to the capital.

The other was the solemn declaration of our independence made by congress on the memorable 9th of July, 1816: six years had elapsed since that dark period, when we were regarded in no other light than as a flock tamely obedient to the will of its owner; in which, we quietly looked on, while strangers directed the economy of our house, in which our own hands were employed to erect fortresses intended to enslave us; six years of the most profound and universal interest, felt, I might almost say, even by the infant in the mothers arms, had awakened a crowd of new ideas throughout all classes of society, and inspired a general wish to rise to that condition which nature herself seemed to designate. These provinces ashamed of having so long delayed to declare this emancipation, raised at last the sublime acclaim of liberty.

It was thought sufficiently probable that those important occurrencies would have quieted the provinces and convinced them of the necessity of a well organized whole. Unfortunately this was not the case. "From Cordova," said the director in his manifesto, "with what painful anxiety did I cast my eyes towards the agitated province of Buenos Ayres." And not without cause, for in going to enter upon his government, he was about to place himself upon the top of a volcanic mountain. It was notwithstanding his good fortune to succeed in conquering the antipathies of his most inveterate enemies. Would to God he had been equally successful in finding the means of restoring perfect tranquillity to the state! The wild and ungovernable Orientals and Santafeecinos, still however persisted in this restless and inconsiderate course. Over and above the numerous causes which rendered their rupture so calamitous, others followed of a nature to render them more lasting. The court of Brazil, about this time, raised the mask which had hitherto concealed the perfidious project, it had long since formed of taking possession of the delightful countries on the eastern side of the river.

The court of Brazil had already made frequent attempts to obtain this territory, which for more than a hundred yerrs it had coveted with so much greediness, but was as often compelled to abandon its prey, until our lamentable dessension at last seemed to guarrantee the success of an invasion. The director seized this opportunity to revive with general Artigas, that ancient friendship, whose combined force had on former occasions frustrated the shameful designs of the Portuguese. A deputy was despatched to him carrying a supply of arms and munitions of war, and requesting him to state with frankness what were his wants, that these should be the measure of the aid to be furnished. But to speak of reconciliation with Artigas, was to speak to the desert. His obduracy could neither be softened by

concesssion, nor his pride be humbled by dangers. Although he received the donations, he heard the proposals with displeasure, preferring that history should accuse him of having sacrificed the occasion to his private hatred, his duties to his caprice, and his country to his interests.

With respect to the Santafeecinos, the directors was not more actuated by a desire to prevent the disagreeable consequences of this city remaining in a state distinct and separate, from all the other members of the republic, than anxious to place the forces under general Dias Velis in security; with this view he despatched deputies with propositions highly advantageous to them, and which ought to have sufficed for the restoration of the ancient harmony and brotherhood. Before their arrival at Santa Fee, our army had already evacuated the place and descended the river. The late invasion was by no means calculated to dispose their minds to reconciliation. And even if the Santafeecinos had given this proof of their love of order, it is probable they would soon have repented of an act which would have lessened them in the estimation of their protector, general Artigas; however this may be, the negotiation terminated without effect.

The city of Cordova, although with her deputies in congress, and submitting to the capital, inclined to the side of the Orientals and Santafeecinos; her character would not permit her to abandon the last of these in the period of adversity; the dangers which threatened her neighbor, served but to draw more closely the ties of amity, and which increased in proportion to the risk she encountered. A body of Cordovians to the number of four hundred, under the command of Don Juan Pablo Bulnes, hastened as far as the city of Del Rosario in aid of the Santafeecinos; but finding no enemies, they returned home without any material occurrence.

The expedition of Bulnes was not undertaken with the approbation of the governor of Cordova, colonel Don Josef Dias; not because this officer was not inclined to the side of the Santafeecinos, and the cause of federalism, but because it suited the political course he had resolved to follow, to give merely a negative consent; or perhaps seeing Bulnes at the head of a more considerable force than he himself could command, he did not think it prudent to oppose him. Be this at it may, it laid the foundation of a reciprocal animosity, as indiscreet as badly intended. While Bulnes was on his return to Cordova, Dias was collecting a force to receive him. He was fearful that his rival might entertain the intention of deposing him, and placing himself at the head of the government. These two bodies were in a little while arrayed against each other, and after acting a military farce, a few shot fired in the air, Bulnes was left in possession of the field of battle, and entered the city in triumph.

These agitations and disorders were in direct violation of the public authority. They proceeded from an active force, supported

by the opinion which was most prevalent; in their consequences they were to be dreaded both for the present and the future, as exhibiting the most dangerous examples. The rights claimed by the government and the congress were weighed in distinct scales from their own. The only remedy which the congress could apply to these evils, was in appealing to the good sense of these people. A manifesto was published, breathing in eloquent language the sentiment of love of country, lamenting and severely censuring the public disorders, thundering anathemas against the disturbers of the public repose, and exhorting all to obedience and submission to the supreme authority, which had only for its object to secure the safety and happiness of the *republic*. As might have been expected, little impression was produced by this publication, amongst a people who considered themselves as betrayed, when denied the form of government which they preferred. In fact they regarded the manifesto like one of those autumnal clouds, which lighten much, but bring them no rain.

A more successful measure was adopted with respect to the province of Cordova, which was the placing its government in the hand of Don Antonio Funes, (brother of the author of this sketch,) a native and inhabitant of the city of Cordova. This appointment, whether considered with a view to the capacity and virtues of the individual, or the prudence of the choice, was worthy of applause. He was a citizen who possessed talents by no means vulgar; of a mind refined by application to belles-lettres and elevated by the study of the sciences, he was regarded as an honor to literature. A man of unusual nerve, of a character severe without austerity, more a lover of virtue, than of his fortune, than of his family, or of his life. Exemplary in the fulfillment of his social duties, his house wore the appearance of a sanctuary, to which the unfortunate might resort for comfort and protection. From his politics, dark intrigues, cunning management, and all perfidious practices were excluded. A noble frankness characterised his deportment; detesting artifice, yet prudent and cautious in his speech, and in all times a friend of social order. Our revolution, on which justice had set her seal, could not fail to draw him to its side; he embraced its cause with sincerity and propagated it with discretion; but the unsettled state of things which succeeded, had induced him to bury himself in a retirement where without being exposed to the clashing of contending parties, he might pursue the stoical severity of his life, and indulge his passion for literary pursuits. With a firmness superior to the reverses of fortune, he supported without murmuring the *loss of nearly all that he possessed, his credits to a great amount, and what was more severe, of two promising sons in the flower of youth, when the national congress cast its eyes upon him as the most suitable person to oppose the torrent of disorders of which Cordova had become the theatre.

* This estimable man happened to possess property to a large amount in Peru, which on the breaking out of the revolution was confiscated by the royalists. TRANSLATOR.

To a common mind, the situation in which the governor was placed, would have presented almost insuperable difficulties. The city of Cordova being occupied by Bulnes, his son-in-law, and in the very first step he would have to take, it would be necessary that he should be armed with a severity which knows no relationship but that of reason and the law. In the course of the revolution he had not declared himself in favor of any of the forms of government which this republic might think proper to adopt. His opinion was in favor of that which the will of the nation, solemnly expressed in congress, should sanction; and until this could be known, he thought that no one without violating the laws of order and just subordination, could forcibly resist the established authortities. In opposition to these sentiments Bulnes made a show of force before his eyes, and his conduct gave few or no indications of a sense of honor, respect or deference. The governor prudently concealed his determination, until he should be supported by a sufficient force to enable him to carry it into effect. It was not long before a body of veteran troops under the command of col. Sayos came down from Tucuman to his assistance. Bulnes had the arrogance to take the field against him, but Sayos in the presence of the governor himself, completely routed his forces and put him to flight. A common mind would have been pleased with a flight, which would have spared the painful conflict between the ties of relationship, and the demands of justice. But this was a case calculated only to call forth the firmness and energy of the new governor. He caused a diligent pursuit to be made, until placed in his power, he should be delivered over to all the severity of the law. The fortitude required by such occasions allows of no mixture of human weakness; and as a celebrated orator has justly said, the magistrate who is not a hero, scarcely deserves to be regarded as an honest man. The province for the present remained tranquil, and the cause of Bulnes was subjected to the legal forms by order of the congress.

From the volcanic eruptions of the provinces, which about this time happily, became less frequent, let us direct our attention to exterior affairs. The policy of assailing the enemy's commerce, was found to operate as a powerful aid to our cause, and was about this time carried on with great success. The enemy's ports in the Pacific were greatly harrassed by the flotilla under commodore Brown.—Nothing could more fully prove the state of subjection to which the people were reduced by Spanish tyranny; under its vile domination, it seemed as if all the springs of the mind had been destroyed, and instead of national feeling, there existed nothing but sordid personal interest. Near the isle of Ormigas, Brown captured five prizes; he dared even to brave the castles of the port of Callao, and to defy the Spanish armed ships. He found the port of Guiaquie in a still greater state of abandonment; here he entered in triumph, and carried off property to the amount of seven hundred thousand dollars.

While the vice roy of Lima was thus harrassed by sea, his armies in Peru and Salta, experienced an almost uninterrupted series of disasters. Col. Don Manuel Asensio Padilla, sustained with much glory the standard of our country against the inhuman Facon. The valor and patriotism of this officer had attached to his person a considerable number of patriots, into whom he inspired confidence, activity and courage. In order to throw some obstacles in the way of his triumphs, a body of about one thousand men, was ordered to march towards Laguana. Here they were expected by Padilla, who had entrusted the defence of various posts to his captains, and one of them, which may sound somewhat singular to the reader, to the command of his wife, a very extraordinary woman Dona Juena Azunduy. The enemy was completely repulsed after having made a furious assault, and this heroic female had the satisfaction of presenting to her husband, the banner of the enemy, which she had taken with her own hands.* Padilla did not go to sleep beneath his laurels; without giving time to the enemy to collect his forces, he pursued them in every direction, and shut what remained of them in the town of Chuquisaca. Scarcely less glorious was the victory of Wanes, who destroyed another body of nearly one thousand men commanded by Facon in person.

The perils of the war in the district of Injui and Salta, drew from the inhabitants, proofs of heroism, in support of their indepen. dence, equal to what was exhibited in declaring it. General Guemes, formidable alike for his constancy and valor continually presented a threatening front to Pescuela, and by his activity deprived him of his conquests as fast as they were made. Abandoning Injui precipitately, Pescuela encountered losses of considerable moment. The Guerillas led by Don Augustin Ribera, Don Diego Calla, Don Diego Tallangiani, Don Justo Ganzalis, Don Joseph Miguel Valdiviesa, Don Francisco Guerreros, and Don Francisco Briondo, contributed much to diminish his credit and the weight of his authority.

1817.

These advantages in some measure made amends for the mortification of seeing the troops of Portugal in the territory of the state. From the time it was known that the Prince Regent of Portugal, had raised the colonies of Brazil to the pre-eminence of metropolis, it was strongly suspected that he would attempt to aggrandize himself by the occupation of these countries. The powerful temptations which had continually attracted the Portuguese towards our territories, had almost become one of the fixed principles of their

* This was the celebrated banner, under which the enemy had reconquered La Paz, Peru, Arequiha and Cusco, and on which account, it was distinguished by magnificent embroidery. For this action the lady was rewarded by the state with the commission and emolument of lieutenant colonel.

policy; it was therefore not surprising that they should profit by an opportunity which seemed the most favorable for the gratification of their ambition. But as mere ambition furnishes no justification for the invasion of the territory of other nations, the director considered it as his duty to remonstrate with general Lecos, commander of the Portuguese forces, on the step he was about to take, and to warn him of the consequences of the aggression. At the same time that he took this step, he communicated it to general Artigas, and the Cabildo of Monte Video, requesting that at this moment of common danger, which required the combination of all their forces, that their differences might be forgotten; and in order to fix upon the principles of reconciliation, he deputed with full powers the Mealdes Don Juan Jose Durar and Don Juan Giro. In the preliminary conferences which took place, the errors of discord and the benefits of harmony between the two countries, were represented in the most animated terms; and it was finally agreed that the eastern shore (Banda Oriental) should acknowledge the sovereignty of congress, and the authority of the supreme director of the state; that members in proportion to its population should be sent, and that the government should promptly furnish what assistance was necessary for its defence.

The joy produced by this event, which in putting an end to the unhappy disputes that divided the country, appeared to restore its pristine strength and glory, was celebrated with pomp and magnificence. At the very moment however, when the people were engaged in giving vent to their feelings which were excited to a degree that might almost be considered immoderate, information was received that the Orientals had refused to ratify the convention, no doubt influenced by their chief. Artigas considering the natural tendency of the connexion and dependence of the eastern shore, as destructive to the absolute sway which he had so long been accustomed to exercise; in his conception the dangers and devastations of a war with the Portuguese, were to be preferred to the influence of the capital.

The remonstrance of the supreme director with general Licos did not produce the effect on his mind which it merited. This chief contented himself with declaring, that in order to place the Portuguese frontier out of danger from the contagion of anarchy which threatened it, it had become necessary to take possession of a country which in becoming independent had given itself up to every species of disorder and misrule. The futility of this pretext was fully exposed by the director in his subsequent official letters, and also by the eloquent editor of the ministerial gazette, Don Julian Albanes; nothing can be added to the force of their reasonings. Taking it for granted, that a sovereign has a right to interfere in the domestic quarrels of his neighbors, whenever he may think them of a nature to disturb the tranquillity of his own states, yet it is an undoubted

principle of the law of nations, that he should first make suitable representations to the party offending, before actually resorting to the use of force. To occupy a country by force under the mask of peace, can only be learned in the school of Machiavel. There is certainly some difference between acting the part of a centinel, to watch for the preservation of self, and thus intruding into the country of another *hospite insalutato*, with no object in reality, but that of conquest. The dispute of the Orientals and the capital, was a family quarrel; but a quarrel which had not dissolved the ties of the first with the nation. These people as well by their own will, as by the constitution of the state, were integral parts of American confederation. Common decency, not less than respect for the laws of nations, would have forbidden this resort to violence, before all the proper measures had been taken without effect, to place in a state of security the nation which declared itself in danger; otherwise the world would be continually exposed to become the prey of the first occupant who could support his cause by force; like the ambitious Portuguese there would never be wanting a pretext for invasion.

The management of the war, together with the other important cares of government, rendered it desirable, that the congress and the directors should be nearer each other in order by their combined wisdom to conduct the affairs of the state with greater promptitude and judgment. Its removal to the capital, was, however a step of no small danger, The sound of discord was still heard like the hollow murmuring of the waters after the tempest has subsided. It was much to be feared, in the agitations which might ensue that this national assembly, which was considered by many of the friends of order as the last resort, would, like the similar attempts formerly made, prove abortitive. Besides this, the provinces were desirous that the congress should hold its sessions at a distance from the capital, in order, that being free from undue influence, and the fear which bayonets might cause, they would be able to pursue their course with the more perfect freedom. After much discussion, and important reasons urged on both sides of the question, they finally yielded to the solicitation of the directors who strongly urged their removal to the capital; and accordingly carried the resolution into effect in the midst of new commotions and disturbances.

One of them had its origin in the audacious mind of an inhabitant of Santiago de Lestera, named Don Francisco Borges. This indiscreet man had been engaged for some time in secretly exciting the minds of those who entertained an aversion to the constituted authorities. His intrigues engaged on his side, not a few of his fellow citizens, who together with others in the neighboring towns, raised the standard of rebellion under his command. A corps of veteran troops was immediately despatched against them from Tucuman. Borges, more skilled in forming factions than in profiting by them when formed, was unable to maintain his ground; beaten, pursued, and taken prisoner, he paid with his life the price of his temerity.

The governor of Cordova, although possessing more prudence and foresight than his predecessor, was unable to provide against a conspiracy which surprised him in his own house. Bulnes from his prison colleaguing with some of those wretches who are every where to be found in an unsettled state of society, was enabled through this means to corrupt the garrison, and not satisfied with obtaining his release, he assailed the house of the govern, whom he seized and placed in confinement, together with militrry commandant Sayos.

The chief of this plot was not possessed of sufficient talents to direct any important object, nor had the soldiers whom he had corrupted, a sufficient interest to serve him. These were, with few or no exceptions, veteran Spanish troops, who had deserted to us, and who had been placed under the command of an European, named Quintana, but who would willingly sell themselves to whoever offered most. Bulnes was deposed, and in his stead was chosen, a certain Urtubei, a person in whom the conspirators fancied they could repose their confidence with greater safety. The situation of the conspirators was critical; they knew that their indecent and dishonorable conduct was detested by the inhabitants of Cordova, and that their force was inadequate to sustain them; they therefore justly feared the punishment which the congress and the director would inflict upon their crimes. In this embarrassment, they fell upon the plan of compelling Don Juan Andres de Pueyrredon, brother of the director, to accept the office of governor of the province, in an open Cabildo, or assembly, composed chiefly of the factious. It was not long, before all those who were openly concerned in this disgraceful business, were obliged to beg an asylum in Santa Fee, to which place they retreated. Colonel Sayos, who, with his officers, was ordered to be conducted to some remote place, contrived to gain over the guard to his side, at the end of a few days' march. At this moment, he was accidentally joined by governor Fumes, who, by the permission of Bulnes, was on his way to Buenos Ayres. They immediately set about collecting a force, for the purpose of returning to put down the insurrection. This consisted, however, of very indifferent militia, upon which little or no dependence could be placed. Notwithstanding this, and the obstacles thrown in the way, by a handful of vicious, unprincipled men, the governor succeeded in reestablishing order, and in entering upon the duties of his office.

The chief of the insurrection was arrested, and sent to Buenos Ayres, where, together with several of the European soldiers, he was tried, condemned, and executed.

These discords in the east, the west, and the north, contributed chiefly to flatter the hopes of our enemies, and encouraged them to form new plans for our subjugation. Ten thousand Portuguese, under the command of general Lecor, in three divisions, were marched into the territory of the eastern shore. The first, consisted of five thousand men, under his immediate command, who directed his march by the way of Santa Teresa; the second, under the command

of general Silviera, consisting of sixteen hundred, by the way of Serno Largo; the third, which formed the right of the enemy, under Curau, proceeded towards the town newly founded by Artigas, in the vicinity of the Uruguay. It was utterly impossible for the general to oppose this torrent. Although the Orientals were gifted with great strength of body and intrepidity of mind, yet neither their numbers, the nature of their arms, their discipline, nor their subordination, could enable them openly to take the field against invaders, in these respects, so much superior. This superiority very soon manifested itself. General Pinto, with nine hundred men, advanced as far as India Muerta, where he was attacked by general Ribera, with eleven hundred; and although he sustained a vigorous fight, he was compelled to retire with less than one half his division; possessing, however, that coolness which characterises the brave, in critical situations, he did not neglect to detach a part of his force to watch the operations of the enemy. Soon after this, a detachment, consisting of a hundred men, fell in with an equal number of Portuguese, who had marched out of Maldonado; stung by shame, and roused to desperation by the disgrace of the last affair, they rushed with irresistible fury upon their enemies, who were literally cut to pieces.

General Forguese was opposed to general Silviera, at the head of eight hundred men, but was more distinguished for stratagem and astuteness, than enterprise. It was of great importance to impede the march of Silviera, whose object was to form a junction with Lecor. Ribera having united his force to that of Forguese, they determined to attack, but through some unaccountable accident, the former retreated to Rio Negro. The Portuguese army, although continually harrassed by Ribera, reached the Barra de Casupa, at Santa Lucia La Grande. Ribera did not despair of being able to defeat the enemy; but considering the smallness of his force, he besought the town of Monte Video, to send the delegate, Barcino, with a reinforcement of four hundred men; the only force that could be spared, was the corps of Libertos, commanded by colonel B——; but from a spirit of rivalry, ill becoming the times, this officer was unwilling to serve under Ribera; this reinforcement being thus denied, general Silviera effected a junction with general Lecor; after which they proceeded to the capture of Monte Video, on the 19th of January, 1817. Barcino having abandoned it in much disorder.

The fortune which had formerly attended the Orientals, was now reversed. They fled the presence of those whom they had been before accustomed to repel, or, if they showed resolution, it usually degenerated into rashness. The right wing of the Portuguese army, commanded by Curau, directed its march towards the place, at which the chief of the Orientals was stationed, and arrived at the Arrayo de los Catalanos. This frontier was defended by general La Torre, with three thousand men. Full of an arrogant confidence, which did not permit him to calculate the risk, he determined on attacking the

enemy. Mondragor, who commanded the cavalry, with more prudence, remonstrated against this step; alledging, that having had the good fortune to deprive the enemy of his horses, oxen, and carts, these ought first to be secured, before exposing himself anew to the chance of battle, which, considering the present situation of the Portuguese, must be extremely doubtful. La Torre, either not convinced by this reasoning, or despising it, exercised his authority, and imprudently fell upon the enemy with his whole force. The action was obstinate and bloody, but terminated in the most disastrous manner; general Artigas occupied a position, some distance in the rear, with a small corps of one hundred men. The consequence of this unfortunate affair, reached even his encampment; here he was surprised by four hundred men, and was only enabled to escape with the assistance of Charua Indian, but with the loss of all his baggage.

In the midst of the progress of Lecor, he found himself all at once shut up in Monte Video suffering hunger, and all the privations of a siege: his situation becoming intolerable, he marched with two thousand men in search of cattle and other provisions. The indefatigable Ribera, who closely watched his movements, prepared an ambuscade with much sagacity at the pass of San Lucia, and causing no small loss to the enemy, attained his object for the moment. Lecor was not compelled however to abandon his enterprise, but proceeded as far as the pass of Pinto where he was again attacked by Ribera, and experienced a loss of two hundred men. These advantages were of too partial a nature to enable the Orientals to derive hopes from them in the face of an enemy so powerful. They contributed chiefly to raise the reputation of Ribera.

The cry now became universal on the part of the Orientals, and even of their chiefs, for a re-establishment of their union with Buenos Ayres, as the only means of finding shelter from the desolating tempest. In virtue of this state of mind a communication was opened with the director, who at once met so desirable a proposition, and immediately sent a supply of arms and munitions of war by way of Colonia.—Although Ribera had given his consent to the union, he stipulated to withdraw it, in case it should not meet the approbation of Artegas.—For this purpose he communicated the stipulation he had entered into, in his absence to that chief. To Artegas it was of little importance, to such an event would be advantageous to the *republic*; he saw in it nothing but a diminution of his own consequence and power. In order to prevent the discontent which his refusal might produce, at the same time, that with one hundred men, he went down to dissuade Ribera, he caused his partizans to circulate the most scandalous abuse of the capital and its intentions; proclaiming that a union with the capital would be a union with perfidy and robbery, and that it would be exchanging their liberty for a shameful and attrocious servitude. These odious imputations could not fail of producing an effect upon the simple well-meaning people, who reposed implicit confidence in Artegas,

as well as in the minds of those who had on former occasions been ill treated by the government of Buenos Ayres, of which number was Ribera. The party in favor of union was, however, too strong to be easily dissuaded from its purpose. In fact Barcinos Bansa, col. of the Libertos, Ranios commander of the artillery, a body of chasseurs, and some corps of militia under he command of Don Tames Garcia, having elected the latter as their commander entered into articles of union with Buenos Ayres. Ribera offended with an act which was very little short of a revolt against him, by a part of the troops under his command, hastened with three hundred chosen men, to call them to an account for this procedure. After some warm altercation Garcia being the strongest, remained with the command, and Ribera sending a copy of the offensive articles to Artegas, called for a detachment of five hundred men for the purpose of attacking his opponents. It was well known that Artegas would destroy without mercy, those who set about diminishing his authority. In truth this man taking counsel only from his ambition, and from a mischievous Franciscan Friar, who for a long time had swayed him, resolved to comply with the request of Ribera, with all possible expedition. General Forges, one of the most repute among the Orientals, opposed with energy a measure which was about to awaken the horrors of civil war, and declared for a union with the capital. Of the five hundred, only fifty were dispatched to Colonia, under the pretext of defending this place, which was threatened by a Portuguese flotilla, but with the real intention of uniting with Ribera, and to make war upon those who should be in favor of the union. The party of Artegas prevailed. The director had hoped that the Orientals won over by his friendly conduct, would lower their pretensions, but his patience was wearied out by so much obstinacy.

While these clouds obscured the east, the west appeared more serene; the governors of Cuyo, colonel Don Jose de San Martin, a man bold enough to conceive great designs, sufficiently a lover of glory to devote himself to them, and not wanting good fortune in their execution, had for some time past meditated in silence the reconquest of Chili. This country had been completely subdued by the Spaniards; more than one hundred of the most influential people had been banished to the island of Juan Fernandez, the inhabitants completely disarmed and held under the most rigid subjection; their secret wishes, however, as may be readily supposed, were in favor of independence, and San Martin had every reason to believe that if he could cross the mountains with a respectable army, he would have none but the Spaniards to contend with, and would find the people, as far as was in their power, disposed to co-operate with him. The situation of the United Provinces, continually threatened from Chili and Peru, plainly pointed out the immense importance of expelling the Spaniards from the former, by which means, they would at the same time, strike the severest blow to their enemy, and gain a pow-

erful ally; a sense of duty also called upon them to assist their brethren, those who on a former occasion, when Buenos Ayres was threatened by the Spanish general Elio, had contributed both men and money to her assistance. But the chief difficulty lay in procuring the means of raising such an army as would be adequate to the enterprise. The state notwithstanding its recent declaration of independence, was at no time since the commencement of the war in a condition so deplorable; it might almost be said to be drifting at the mercy of the winds and waves. The province of Cuyo, at the first glance seemed to promise less; its soil but indifferent, its population small, its products of late much reduced in value, and as the frontier, continually exposed to the invasion of the Spaniards. But San Martin possessed the talent of winning the hearts of those with whom he was connected, of awaking the higher passions, and of enlisting them not by halves, but entirely in his plans. He had possessed himself so completely of the affections of the people of Cuyo, that they placed without reserve every thing they had at his disposal. They freely yielded up their male slaves to the number of six hundred, they furnished three thousand horses, ten thousand mules, and contributed their personal services for the construction of quarters, encampments, armories, and in conducting troops and munitions from Buenos Ayres. Much of this is doubtless to be attributed to the moderation and self denial, both in public and private life of the chief who commanded, the best security for the confidence of the people; but it is likewise to be attributed to a cause which does much honor to the province, to wit: its uniform patriotism and good conduct. Correct morals are most conducive to love of country, and love of country is not less conducive to good morals. Had they been less pure, this patriotism would have been less, and less also would have been the influence of San Martin. After a twelve month spent in collecting, organizing and disciplining his army, which at the same time afforded Marco an opportunity of making the necessary preparations to oppose him, San Martin put in execution his daring attempt to cross the Andes. The mere idea of such an undertaking is enough to strike the mind with astonishment, as amountiag almost to a violation of the laws of nature. We can form but a faint idea of this enterprise, when we consider that the mountains to be crossed for one hundred leagues are the highest on the globe, with defiles so narrow as not to admit two persons abreast along the guidy urge of frightful gulfs, while the severity of the climate seemed to contend with the ruggedness of the passage; added to these the difficulty of transporting artillery, at the same time embarrassed with the baggage and provisions for thirty days, and after all trusting to the uncertain chances of success, after the termination of these labors and fatigues; in truth when every thing is considered fairly, this achievement may justly rank with the most celebrated of those recorded in history. In thirteen days the army ef-

fected its passage with the loss of about five thousand horses and mules, and of a small number of men, chiefly blacks, who were unable to stand the cold. After some slight skirmishes, the army took up its position at Acoracogua.

The passage of the mountains was, in itself, an achievement of a nature to give assurances of the result. The heroic army which had vanquished the Andes, fighting under the banners of liberty and the country, could no more be resisted than a torrent of the mountains. The splendid triumph of Chacabuco, which took place soon after, raised San Martin to the pinnacle of glory, and gave a new aspect to the affairs of South America. "In twenty four days," said the general, "we have terminated the campaign; we have crossed the most elevated mountains of the globe, put an end to the sway of tyrants, and given liberty to Chili." The president Marco was taken prisoner and the remains of his forces took refuge in the fortress of Talcaguana. A junta of the Chilians was convened at Santiago; through gratitude to San Martin, they offered to invest him with the directorship, which he declined; they then elected Don Bernando O'Higgins. The Chilians afterwards sought by various modes to express their gratitude to the *general of the Andes*, by which name San Martin, by a kind of involuntary concurrence, was now distinguished; but considering these offers as incompatible with the notions of greatness which he entertained, they were positively declined. It would be improper not to mention the restoration of the banished Chilians to their families, which was almost the first act of the government. San Martin returned to Buenos Ayres, to receive new orders and to concert new plans with the government, all eyes being now turned towards Peru, as the quarter in which their long looked for peace and liberty would be sealed. On approaching Mendoza, the capital of Cuyo, he was met by its inhabitants, the youth strewing roses in the road, and all demonstrating the most heartfelt expressions of regard; the inhabitants of Buenos Ayres were equally desirous of shewing every mark of veneration for this hero, but San Martin being apprised of their preparations, stole into the town unobserved. Some are disposed to condemn what appears to them an affected squeamishness, and false delicacy, in thus declining honors, which are known in general to be grateful to the human heart; but for this very reason, in my opinion, it is great and noble to decline or despise them.

The cause of the state, in Peru, when conducted by the virtues, experience, and abilities of Belgrano, who, on his return from his important mission to Europe had once more assumed the command, was again seen to revive. In the rencontres already related we have seen that victory had also returned to our side. General Serna, who succeeded Pescuela, was not possessed of the abilities of his predecessor; although the celebrated leaders Padilla and Merceces were killed, Warnes, and Ganderilla and Fernandez supported the cause of

their country. By these the sanguinary Facon was pushed to the very verge of the precipice; but this victim was reserved for another hand; a ray of lightning sent from Heaven, put an end to his days and his cruelties. His army was reduced almost to nothing.

General Serna discovered only a vain and arrogant confidence in his own powers. He had scarcely assumed the command, when he conceived the design of attempting the reconquest of Salta and Injui and even of Tucuman. The history of his predecessor ought to have opened his eyes. These places had proved the sepulchres of the Spaniards, and he might cause them to be so again. These admonitions were disregarded by Serna, who, more haughty than the knight of La Mancha entered Injui at the head of an army of upwards of two thousand men. Governor Guemes rendered the possession of the place little better than a trap for his destruction. He and his brave countrymen invested him so closely, that he soon began to repent of his folly. His forces were incessantly harrassed by a great number of guerrillas, and much reduced by the actions of San Pedrita, Huniaquaca, Tarija el Barrada, and others. From the deserters, who were continually coming over with misery painted in their countenances, it appeared, that they were perishing of famine in their trenches. Guemes, with his brave officers, Roxas A——, Tarenos, La Madrid, Cardad, &c. compelled Serna to retire at last with great loss, and to renounce his designs upon the cities before mentioned. These flattering occurrences were only interrupted by the lamentable revalry of the Orientals with the capital. Although Artigas, by means of his chiefs, succeeded in gaining over the greatest part of those whom his conduct had alienated, there were still many who remained firm in their resolution of a separation from his authority, a conduct which they considered necessary to the safety of the republic. Of these, not a few were of the province of Entre Rios, by their chiefs Erenu and Samanuego, who lowering their tone acknowledged that they had been wrong, and sought the friendship of the director. A circumstance which might possibly lead to the overthrow of an ambitions man, and assure the liberty of the country was not to be despised. Resentment for personal insult might also perhaps have had its influence with the director; he had just received from Astigas, a letter couched in the most declamatory and abusive language; accusing him of paying no regard to his offers by letter, of sending deputies to the union, charging him with connivance at the supplies furnished the Portuguese, with being in their interest, and threatening to pursue him even into the capital itself.

1818.

The director with a view of securing the Baxada de Santa Fee, which commands the interior country of Buenos Ayres, and at the same time of furnishing assistance to the inhabitants of Entre Rios,

despatched a body of troops under Montes de Oca. These were furiously attacked by a detachment from Artigas, and completely defeated. This unfavorable occurrence did not deter the director from his design; he despatched Col. Marcos Balcarce with reinforcements to take the field anew. The Orientals inflamed by that rage which characterizes civil wars, and the more on this occasion, as they regarded themselves as ungenerously attacked by their countrymen, at the moment they were fighting the enemies of the republic, with an impetuosity bordering on desperation, fell upon the army of Balcarce, and after a short but brave resistance on the part of the latter, victory declared itself for the Orientals. Let us deeply lament the fatal policy, or necessity of delaying with our own hands the progress of events, by which we are to gain our independence, and turning upon one another, those arms, which ought to be reserved only for our common enemies.

About the same time news of a much more serious nature, reached the capital and produced the most painful sensations. While San Martin and O'Higgins were endeavoring to reduce the last strong hold of the Spaniards in Chili, the fortress of Talcaguana, the vice roy of Lima, with all possible despatch, threw fifteen hundred men into that place, which, in point of strength may be compared to Gibraltar. The army of Chili, under the command of San Martin, was increased to nearly double its number by the new levies among the Chilians; but time was requisite to train and discipline them. O'Higgins took possession of the town of Conception, of which Talcaguana is the seaport. Here, a great part of the summer was passed away in skirmishes, in which the enemy were generally worsted. San Martin was, however, occupied in designs of greater magnitude; he was unremittingly engaged in preparing to strike the same blow in Peru, which had so successfully paralized the power of Spain in Chili. The want of transports was the principal cause of delay, as a march through the desert of Atacama would be impracticable. The vice roy dreading the enterprise of San Martin, and knowing the materials by which he was himself surrounded, conceived it most prudent to risk the fate of Peru in Chili. Accordingly after an effort, which in the present fallen state of the Spanish power, might be considered great, he collected about five thousand men, which were hastily embarked for Talcaguana under Osorio, leaving Peru entirely defenceless. Osorio had scarcely reached that place, when he commenced preparations for proceeding directly to the capital of Chili; he calculated with confidence on the superiority of his troops over those, whom experience had not yet taught him to respect; he also flattered himself with being able to overtake the army of O'Higgins, before he could form a junction with San Martin. Osorio taking with him nearly all the garrison of Talcaguana, together with two thousand of the natives of Chili, marched rapidly through the province of Conception with an army of nearly eight thousand men. Before he

passed the Maule, the patriot army had already formed a junction, and consisted of an equal number of regulars, besides considerable bodies of the militia of the country. In a few days it was completely organized and consolidated; but so large a body of men, when collected, soon began to experience considerable wants. The capital of Chili confidently trusted to the abilities and valor of San Martin, while the circumstance of the wants of his army, when made known to them, afforded an opportunity of displaying a magnanimity which we have unjustly supposed to have been buried beneath the ruins of Greece and Rome. San Martin announced that his army was ready to take the field against the enemies of the country, and that all were willing to sacrafice their lives in its defence, but that it was in want of bread and other supplies. The effect which this intimation produced in the noble minded people of Chili, is best displayed in the reply which they made through the different officers of the municipalty and corporations.

"Your excellency," said they, "has just informed us that our brethren in the field of battle, are in hourly expectation of being called upon to shed their blood and sacrifice their lives for our preservation. Your excellency recalls to our recollection, the sad image of Chili, laid waste for two years and an half, with an atrocity truly Spanish; and if our children, our fathers, and our wives, who (terrified at the chains and gibbets preparing for them by the monsters that have reached the plains of Talca) turn their tearful eyes towards the brave that, on the banks of Tangeuca, have sworn to perish sooner than behold their desolation. But your excellency, at the same time, intimates to us that these brave men are in want of bread and other supplies, in order to sustain the rigorous arms destined to exterminate our enemy, and that the public fund having been exhausted, there scarcely remained a sufficiency for the hospital, where the wounds received in our defence are to be healed." "And what does your excellency expect will be the reply of the Chilians to a representation so mournful and affecting? That all our fortunes, without reserve, belong to *our country*. That from this moment we request, that your excellency will be pleased to accept the spontaneous offer of whatever silver we have in our possession, together with the vow which we make before our country and universe, that so long as the war shall last, and the wants of Chili may require it, there shall not be seen a single article of plate in our houses."

"The people of Chili are unwilling that the silver of the churches should be touched, until that which belongs to individuals shall be entirely exhausted, we shall then humbly say before the Supreme Being, *To preserve the precious gifts of life and liberty, which those bestowed upon us, we present ourselves naked, to implore thy protection, while we endeavor to support thy ordinances with the aid of those things which we had set apart to adorn thy worship; our vows and ardent*

adoration shall henceforth be the most pure and becoming homage we can offer Thee."

"In the mean while, will your excellency be pleased to accept the offer on the part of the secular and regular clergy, of whatever articles of plate belonging to them in particular, and which do not appertain to the ceremonies of religion, and whatever belongs to the magistrates and corporate bodies, which we offer in our name and in the name of the people of Santiago."

"Your excellency will therefore be pleased to accept these offerings, and to inform our brethren that they may rely on the utmost exertions of our gratitude."

This unexpected but sublime display of gratitude, was replied to by the director in a suitable manner; accepting their offer, he declared himself unable to find expressions sufficiently strong to do justice to the magnanimity of their conduct; but for the purpose of commemorating so glorious an action, he ordered the following inscriptions to be engraven on the two columns which adorn the eastern and western entrances of the city:

"*On the 5th of March*, 1818, *the people of Santiago, voluntarily stripped themselves of all their plate and utensils of silver, protesting that they would acquire no others, until their country shall be out of danger.*"

"*Nations of the universe! Strangers who enter Chili, say whether such a people deserve to be slaves.*"

The patriot army lost no time after its junction, in marching to meet the enemy. The army of Osores had already passed Talca; it was not long before a continual skirmishing took place between the invaders and the patriots. These were kept up for several days, until the nineteenth, when an affair of some importance took place between the advanced corps under O'Higgins, and a part of the Spanish army, in which the latter was compelled to fall back with considerable loss, being pursued into the very streets of Talca. The whole Spanish force had been compelled to fall back upon its steps. Osores now discovered that his contempt of San Martin's army had led him into error: it was so much superior to his, particularly in cavalry, that the chances of success would be decidedly against him; knowing that in all probability San Martin would attack him the next morning with his whole force, and that if defeated, with a large river and numerous bodies of militia in his rear, retreat would be no longer possible. In this critical situation, by the advance of general Ordines, he determined to select two thousand of his best troops, and try the fortune of a night attack, which, if successful, would enable him to retire without fear of pursuit. The principal part of the army had in the evening, halted within a short distance of Talca; the remainder of the infantry having arrived, and the ground being reconnoitered, orders were given about nine o'clock, for each division to occupy the position assigned to it. The right wing had already been posted, and the

left was also in motion, when the enemy rushed upon them in the most furious and unexpected manner; the baggage and artillery were first thrown into confusion, which was soon communicated to the troops on their march; these, after a short resistance, broke and dispersed in every direction, in spite of the exertions of their leaders. The director of Chili, who commanded in person, was severely wounded in the arm, in his efforts to rally them. The right, however, under the immediate command of that excellent officer, colonel Las Heras, retired in good order, and together with some other bodies, collected by the exertions of San Martin and his officers, continued the contest for some time, but were compelled at last to give way.—The next morning presented a spectacle truly melancholy; an army, of which the day before our country might justly have been proud; the best appointed that had ever taken the field on the side of independence in South America, stripped of its artillery and baggage, and more than one half dispersed, and this without having been beaten.

San Martin conducted the fragments of his army to the narrow pass of Angulemu, which lies on the route to Santiago, and which the enemy could not avoid without making a very considerable circuit. Here he remained in the most painful situation, deprived of his baggage, and his men in want of every thing. In the mean time the stragglers, dispersed through the vallies of Chili, spread the most disheartning accounts among the inhabitants, and so complete was supposed to have been the defeat of San Martin, that the partizans of Spain, wherever any of them happened to be, could scarcely refrain from openly declaring themselves. San Martin, with the director, whose presence was required in the capital, made it a hasty visit for the purpose of inspiring confidence in the people, and of procuring the means of recomposing his army. He now judged it most prudent to fall back upon the capital, where his army could be recruited with greater celerity, and intending in case of defeat to retire into the city, which the director was actively engaged in placing in a state of defence. The army under the creative hand of San Martin, with a celerity almost incredible, in the course of a few days, and after a march of eighty leagues, once more presented a formidable front on the plains of *Maipu*. The most animated proclamations were circulated through the country by him, and the director; hope was seen to revive and the patriot army was animated by a desparation gathered even from its late disgrace. The news of this lamentable occurrence arriving at the same time with that of the misfortunes of the eastern shore, cast a gloomy shade over Buenos Ayres. The most melancholy anticipations filled the breast of every American, while the Spaniards among us discovered their joy, on some occasions, with very little dircretion. Our apprehensions induced us to believe, that the affairs of Chili were still worse than the government had been willing to com-

municate; the very importance of the contest in that country, was enough to produce doubts in the minds of the most sanguine. Osorio finding the success of his attack to have so far exceeded his expectations, determined to follow up his blows, but having himself experienced a considerable loss, he was somewhat retarded in setting off: his march was notwithstancing rapid, having approached the Maipu in twelve days after the dispersion of the patriot army. On the third and fourth of April, there were frequent skirmishes, and early in the morning of the fifth the two armies came in sight of each other; the body of the Spanish forces having crossed the Maipu. The whole morning was passed in manoeuvering; each chief in vain endeavored to gain some advantage over his opponent. San Martin rode incessantly along his lines, addressing each individual corps, and infusing into them his own feelings, while the patriotic songs and marches resounded through the army. Seeing at last, that there was no probability of his being attacked that day, by the Spaniards, and finding his men roused to the highest pitch of enthusiasm, he gave orders to advance. With the exception of a small height, which the enemy had occupied with some pieces of artillery, the ground was nearly level, and well adopted to military manoevres. The infantry was placed under the command of general Balcarce, colonel Las Heras on the right wing, and colonel Alvarado on the left; the artillery and cavalry posted on each wing, and a strong reserve in the rear, under colonel Quintana. In this order, the army moved towards the enemy, who opened a dreadful fire from his infantry, and from several pieces of artillery posted on the small elevation before mentioned, but without arresting its progress; a body of the enemy's cavalry charged at the same time, but were driven back by those of the country, who pursued them even under their guns. The action now became general and bloody; our line, at last, appeared to vaccillate, but at this moment the reserve being ordered up, the whole returned to the charge, and with an irresistible impetus carried every thing before them. The resistance of the enemy was however, so obstinate, that they had to be literally pushed from the ground with the bayonet. The regiment of Burgos composed of the best troops of Spain, and twelve hundred strong was not broken until after repeated charges, which San Martin is said to have led in person. The remnant of the enemy's force then threw themselves into some narrow lanes, made by walls, and under their shelter commenced the contest anew, but were at length entirely overcome. This action lasted from noon until six o'clock in the evening, and was contested on either side with a courage and firmness worthy of the great prize which was at stake; not merely the independence of Chili, but perhaps of South America. The history of wars furnish us with few instances of a victory more complete; the whole Spanish army was annihilated; artillery, military chest, every thing belonging to it, fell into

the hands of San Martin. Its chief alone fled with some horsemen, when he saw that the day was lost. Ordonez, the second in command, one hundred and ninety-eight officers, three thousand rank and file surrendered their arms, and two thousand of their dead covered the field of battle. The loss of the country did not exceed one thousand in killed and wounded The capital from its extreme depression was now elevated to the highest pitch of joy. The streets before silent and fearful, were suddenly filled by the inhabitants, like the blood, which after some moments of deep suspence, and anxious fear, rushes again from the heart to the extremeties of the body. The scene which ensued, can only be conceived by those who have witnessed the sublime effusions of popular feeling, when each thinks his own happiness that of his posterity, his friends, and his country are entirely involved. There was a general and almost universal exclamation, "AT LAST WE ARE INDEPENDENT!" while San Martin was hailed as the genius of the revolution.

B.

Manifesto directed to all nations by the General Constituent Congress of the United Provinces of Rio de la Plata.

Honorable fame is the jewel which mortals prize above existence itself, and which it is their duty to defend above every earthly good, however great and valuable. The government of Spain has accused the United Provinces of Rio de la Plata, before the nations of the world, of perfidy and rebellion, and has denounced as perfidious and rebellious, the memorable declaration of independence of the 9th of July, 1816, by the national congress of Tucuman; imputing to them ideas of anarchy, and intentions of introducing sedicious principles into other countries, at the very moment of soliciting the friendship of those countries, and their recognition of this declaration, that they may assume a place among the nations of the earth. The first among the most sacred duties of the national congress is to do away so foul an imputation, and to justify the cause of our country, by publishing to the world the motives, and the cruelties which concurred to impel to the declaration of independence. This is not a submission which concedes to any one the right to dispose of a condition purchased by America with torrents of blood, and every species of sacrifice, and endurance. It is a duty of imperious obligation which it owes to its wounded honor, and to the respect due to other nations.

We shall wave all discussion with respect to the right of conquest, of papal grants, of other titles by which the Spaniards have supported their domination: it is unnecessary for us to recur to principles which may give rise to theoretic disputes, or to questions which have found advocates. We appeal to facts, forming a lamentable contrast between the sufferings endured by us, and the tyranny of the Spaniards. We shall expose to view the frightful abyss, into which these provinces were about to be precipitated, had not the wall of their emancipation been interposed. We shall give reasons, the soundness of which no rational being can question, unless it be his aim to persuade a nation to renounce for ever all idea of felicity, and adopt for its system ruin, opprobrium, and shameful acquiescense. We shall exhibit this picture to the world, that no one may contemplate it, without being deeply affected with the same feelings that belong to ourselves.

From the moment the Spaniards took possession of these countries they thought only of securing their power, of exterminating, and degrading. Their systems of devastation were immediately set on foot, and were continued without intermission for three hundred

years. They began by assassinating the Incas of Peru, and they afterwards practiced the same upon the other chiefs who fell into their power The inhabitants of the country, attempting to repel these ferocious invaders, become victims to fire, and sword, by reason of the inferiority of their arms, while their cities and villages were consigned to the flames, every where applied without pity or discrimination.

The Spaniards then placed a barrier to the increase of the population of the country, they prohibited by vigorous laws the entrance of strangers into it, and in latter times they opened it to the immoral, to convicts cast out of the peninsula. Neither the vast, but beautiful deserts, formed here by exterminating the natives; nor the benefit which might accrue to Spain herself, by the cultivation of plains fertile as they are extensive; nor the existence of minerals, the richest, and most abundant of the globe; nor the attraction of innumerable productions, some until then unknown, others precious from their intrinsic value,and capable of animating industry. and enlivening commerce, carrying the one to its highest pitch, and the other to the utmost extent of opulence; nor, in fine, the unceasing exertions necessary to keep the fairest regions of the earth submerged in wretchedness, had sufficient influence to change the dark, and portentous policy of the court of Madrid. From one city to another of this country, there are hundreds of leagues lying wast and uninhabited. Entire nations have disappeared, buried under the ruins of mines, or perishing in an atmosphere poisoned with antimony, under the diabolical institution of the mitas. Neither the lamentations of all Peru, nor the energetic representations of the most zealous ministers,have been sufficient to put a stop to this system of extermination.

The science of working mines, regarded with indifference and neglect, has remained without undergoing those improvements common to other nations in an enlightened age; thus rudely wrought, the richest have disappeared, either by the dilapidation of excavated hills, or by the influx of water. Other rare and valuable productions of the country, have remained in the great storehouse of nature without having excited the attention, and zeal of the government; and if at any time an enlightened individual presumed to publish these advantages, he was sure to be reprehended by the court, and compelled to be silent, lest, possibly, a diminution of the demand for some of the productions of Spain might ensue.

It was forbidden to teach us the liberal sciences, we were only permitted to learn the Latin grammar, the philosophy of the schools, civil, and ecclesiastical jurisprudence. The vicefroy Don Joaquin Pirio, gave much offence by permitting a nautical school at Buenos Ayres, and in compliance with a mandate of the court, it was ordered to be shut, while at the same time it was strictly prohibited to send our youth to Paris for the purpose of studying the science of chemistry, in order to teach it on their return.

Commerce was ever a monopoly in the hands of merchants of the peninsula. and of their consignees sent by them to America. All public offices, and employments belonged exclusively to the Spaniards. and although Americans were equally called to them by the laws, they were appointed only in rare instances, and even then, not without satiating the cupidity of the court by enormous sums of money. Of one hundred and seventy vice roys that have governed in this country, but four of them have been Americans; and of six hundred and ten captains general, and governors, all but fourteen have been Spaniards. The same took place in every other post of importance, and even amongst the common clerks of offices, it was rare to meet with Americans.

Every thing was disposed on the part of Spain, in America, to effect the degradation of her sons. It did not suit the policy of Spain that sages should rise up amongst us, fearful lest men of genius should bethink them of advancing the condition of their country, and of improving the morals, and excellent capacities, with which its sons have been gifted by their Creator. It was her policy incessantly to diminish, and depress, our population, lest, one day, we should imagine aught against her domination, guarded by a force, contemptible for regions so various and vast. Commerce was exclusively confined to herself from a mean suspicion that opulence would make us proud, and render us capable of aspiring to free ourselves from so many vexations. The growth of industry was checked, in order that the means of escaping from our wretchedness, and poverty, might be denied us; and we were excluded from all participation in public employments, in order that the natives of the peninsula might have entire influence over the country, so as to form the inclinations, and habits, necessary for retaining us in a state of dependence, that would neither permit us to think, or to act, but in conformity to the modes dictated by the Spaniards.

This system was acted upon with the utmost rigor by the vice roys: each of them was invested with the authority of a visier: their power was sufficient to annihilate all those who dared to displease them: however great the vexations they practised, we had to bear them with patience, while these were compared by their satelites, and worshippers to the effects of the wrath of God. The complaints which were addressed to the throne were either lost in the distance of many thousand leagues, over which they had to pass, or they were smothered in the offices at Madrid by the protectors of those who tyrannized over us. Not only was this system not softened, but there was no hope of its moderating in the course of time. We had no voice, direct, or indirect, in legislating for our country: this was done for us in Spain, without conceding to us the privilege of sending delegates, or councellors, to be present, and to state what would be suitable, or otherwise, as is practised by the cities of Spain. Neither did we possess such influence in the government set over us, as might serve to temper the severity of its administration. We knew that there was no remedy for us but to bear with patience; and that for

him who could not resign himself to every abuse death was considered too light a punishment: for, in such cases, penalties have been invented of unheard of cruelty, and revolting to every sentiment of humanity.

Less enormous, and less pertinaciously persevered in, were the outrages which compelled Holland to take up arms, and to free herself from Spain; those which induced Portugal to shake off the same yoke; those which placed the Swiss, under William Tell, in opposition to the emperor of Germany; those which induced the United States of North America to resist the encroachments of Great Britain; or those of many other countries, which, without being separated by nature from their parent-states, have separated themselves, in order to shake off an iron yoke, and to take into their own hands the care of their own felicity, than what we have experienced. We, however, separated by an immense ocean, inhabiting a country gifted with every variety of climate, possessing distinct wants, and treated like flocks, and herds, have exhibited the singular example of patient endurance, under such degradation: remaining obedient, even when the most seducing circumstances presented themselves for casting off the yoke, and driving the Spanish power to the other side of the ocean.

We address ourselves to the nations of the world, and to manifest so much effrontery, as to think of deceiving them in matters to which they have been witnesses, is impossible. America remained tranquil during the whole war of the succession, and awaited the termination of the contest between the houses of Austria and Bourbon, in order to follow the fortunes of Spain. A favorable occasion then presented itself to free ourselves from so many vexations; but we did not seize it, on the contrary we exerted ourselves in her defence, arming in her cause alone, and with a view of maintaining our connexion with her. Without having any concern in her differences with European nations, we have embarked in her wars, we have suffered the devastations, we have born without a murmur all the privations to which we were exposed by her nullity on the ocean, one of which was the interruption of the usual communication with her.

In the year 1806, our country was invaded: an English expedition surprised and captured Buenos Ayres, the capital, through the imbecility of the vice roy, who, though without European troops, had numerous resources fully adequate, which he knew not how to avail himself of. We prayed assistance from the court to enable us to defend ourselves against a new expedition which threatened us, and the consolation we received was a royal mandate to defend ourselves as we could. The following year the eastern shore (Banda Oriental) was occupied by a new and more formidable expedition: the town of Monte Video was besieged, and taken by assult: here the British troops were augmented, and a powerful force prepared for making another attack on the capital, and in fact the attack was made a few

months afterwards; happily the valor of our citizens triumphed over the enemy in the assault, compelling him, after a brilliant victory, to evacuate Monte Video, and the whole of the eastern shore.

A more favorable opportunity of rendering ourselves independent could not have been desired than that which now presented itself, if the spirit of rebellion or perfidy had been capable of moving us, or if we had been susceptible of those principles of anarchy and sedition imputed to us. At that time we had abundant cause for doing what we have since done. It was by no means our duty to be indifferent to the state of degradation, in which we had so long existed. If at any time victory authorizes the conqueror to be the arbiter of his own destinies, we might justly then have fixed ours; we were with arms in our hands, triumphat, and there was not a single Spanish regiment to oppose us; and if neither victory nor force can give right, ours was still greater no longer to tolerate the domination of Spain. We had nothing to apprehend from the forces of the peninsula; its ports were blockaded, and the seas commanded by the fleets of Britain. Notwithstanding the favorable conjuncture thus presented to us by fortune, we chose to preserve our connection with Spain, hoping by this distinguished proof of loyalty to effect a change in the system of the court, and render it sensible of its true interest.

But we flattered ourselves with vain hopes. Spain did not regard this conduct as an evidence of the generosity of our dispositions, but as a bare act of duty. America still continued to be ruled with the same tyranny, and our sacrifices, though most heroic, had no other effect, than to add a few more pages to the history of that oppression, under which we had so long groaned.

Such was the situation in which we were found by the revolution of Spain. We, who were habituated to yield a blind obedience to all her mandates, readily acknowledged Ferdinand the 7th of Bourbon, although raised to the throne by a tumult at Aranjuez, which deposed his father. We saw him soon after pass over into France; we saw him there detained with his parents, and brothers, and deprived of the crown which he had just usurped. We saw, that Spain, every where occupied by French troops, was shaken to her centre, and that in her civil convulsions, the most distinguished individuals, who governed with wisdom in the provinces, or served with honor in her armies, fell victims to the insensate fury of rivals. That in the midst of these vibrations, governments rose up in each of those provinces, styling themselves supreme, and claiming sovreign authority over America. A junta of this kind, formed at Seville, had the presumption to be the first to demand our obedience, and we were obliged by our vice roys to recognize and yield it submission. In less than two months, another, entitled the supreme junta of Gallicia, pretended to the same right, and sent us a vice roy, with the indecent menace, that thirty thousand men should also be sent

if necessary. The Junta Central next erected itself: we immediately obeyed it, without having had the slightest share in its formation, zealously and efficaciously, complying with all its decrees. We sent succours of money, voluntary donations, and supplies of every kind, to prove that our fidelity would stand any trial to which it could be subjected.

We had been tempted by the agents of king Joseph Bonaparte, and great promises were held out to us of bettering our condition, should we unite ourselves with his interests. We knew that the Spaniards of greatest note had already declared for him; that the nation was without armies, and without the vigorous direction requisite in moments of so much difficulty. We were informed that the troops of Rio de la Plata, who were prisoners at London, after the first expedition of the English, had been conducted to Cadiz, and there treated with the greatest inhumanity, and that in a state of nakedness they had been sent off to fight against the French. Yet our situation continued unchanged until the Andelusias having been occupied by the French, the Junta Central was dispersed.

Under these circumstances there was published a paper, without date, and signed only by the archbishop of Laodicea, who had been president of the extinguished Junta Central. By this paper a regency was ordered to be formed, and three persons as those who should compose it, were designated. An occurrence, so unexpected, could not but cause us to hesitate and ponder over it seriously. Our situation became alarming, and we had reason to be apprehensive of being involved in the misfortunes of the capital. We reflected upon its uncertain and vibrating state, more especially as the French had already presented before the gates of Cadiz and the island of Leon: we distrusted the new regents, who were unknown to us, the most distinguished Spaniards having passed over to the French, the Junta Central dissolved, its members denounced as traitors in the public papers. We saw the inefficacy of the decree published by the archbishop of Laodicea, and the insufficiency of his powers for the establishment of a regency; we knew not but that the French had taken possession of Cadiz, and completed the conquest of Spain in the interval which must elapse before these papers could come to our hands; and we doubted whether a government, formed out of the fragments of the Junta Central, would not soon meet with the same fate. Considering the perils which surrounded us, we resolved to take upon ourselves the care of our own safety, until we should obtain better information of the true condition of Spain, and whether her government had acquired stability. Instead of discovering this stability, we soon learned the fall of the regency, and saw it succeded by continual changes of government in moments the most arduous and critical.

In the meanwhile we formed our junta, in imitation of those of Spain. It was purely provisional, and in the name of our captive

king. The vice roy Don Baltazar Hidaldo Cisneros despatched circulars to the provincial governors, in order to light up the flames of civil war, and arm provinces against provinces.

The Rio de la Plata was immediately blockaded by a squadron: the governor of Cordova immediately set about raising an army: the governor of Potosi and the president of Charcas, marched with another to the confines of Salta, and the president of Cusco presenting himself with a third army on the margin of the Desaguedero entered into an armistice of forty days, and before its term had elapsed recommenced hostilities, attacked our troops, and a bloody battle ensued, in which he lost fifteen hundred men. Memory is horror-struck in recalling the abominable cruelties then perpetrated by Goyeneche in Cochabamba. Would to God! it were possible to forget this ungrateful American, who, on the day of his entrance into the city, ordered the respectable governor intendant Antesana to be shot, and observing with complacency, from the balcony of his house, this iniquitous assassination, ferociously cried out to his troops not to shoot the victim in the head, as it was wanted to be stuck upon a pike, and when it was severed from the body, the headless trunk was dragged through the streets, while at the same time the brutal soldiers were barberously permitted to dispose at pleasure of the lives and property of the inhabitants during many successive days.

Posterity will be shocked by the ferocity manifested towards us by men, who ought to have been interested in the preservation of the Americans; and they will regard with astonishment the madness of attempting to punish as a crime an act marked with the indelible seal of fidelity and love. The name of Ferdinand of Bourbon preceded all the acts of the government, and headed its public documents.—The Spanish flag waved on our vessels, and served to animate our soldiers. The provinces seeing themselve reduced to a kind of orphanage by the dispersion of the national government, by the want of another of a legitimate character, and capable of commanding respect, and by the conquest of nearly the whole of the mother country, had raised up for themselves an argus to watch for their safety, and to preserve them entire, so that they might be restored to the captive king, in case he should regain his liberty. This measure was sanctioned by the example of Spain herself, and produced by her declaration, that America was an integral part of the monarchy, possessing equal rights, and which had already been practised in Monte Video, at the instance of the Spaniards themselves. We offered to continue our pecuniary aids for the prosecution of the war, and a thousand times published the uprightness, and sincerity of our intentions.—Great Britain to which Spain was then so much indebted, interposed her mediation, and good offices, to prevent our being treated in a manner so harsh, and severe. But the Spaniards were fixed in their sanguinary caprice, rejected the mediation, and despatched rigorous orders to all their generals to prosecute the castigation of the Ameri-

cans with redoubling activity; scaffolds were every where erected, and ingenuity was taxed for inventions to frighten and afflict.

From thenceforward, no pains were spared, and no means left untried, to divide, and engage us in mutual extermination. They have spread abroad the most atrocious calumnies against us, attributing to us the intention of renouncing our holy religion, and of encouraging an unbounded licentiousness of manners. They have made a religious war against us, contriving by a thousand ways to disturb, and alarm the conscience, and causing the Spanish bishop to publish ecclesiastical censures, and excommunications, and to sow through the means of some ignorant confessors fanatical doctrines even in the penitential tribunal. By means of those religious discords, families have been divided against themselves; they have occasioned dissentions between father and son; they have broken asunder the delightful ties which unite husband and wife; they have sown rancour, and hatred between the most affectionate brothers; they have, in fine, endeavored to poison all the harmony of society.

They have adopted the dreadful system of putting men to death indiscriminately, for no other purpose than to diminish our numbers; and on entering our towns have been known to put to death even the unfortunate market people, driving them into the public square in groups, and shooting them down with cold blooded, wanton cruelty. The cities of Chuquisaca, and Cochabamba have more than once, been theatres of this shocking barbarity.

They have compelled our soldiers, taken prisoners, to serve against their wills in the ranks of their armies, carrying the officers in irons to distant outposts, where it was impossible for them to preserve health for a single year, while others have been starved to death in dungeons, and many have been forced to labor on the public works. They have wantonly shot the bearer of flags of truce, and have committed the utmost horrors upon chiefs after their surrender, and other principal personages, notwithstanding the humanity that had been shown by us to those prisoners who fell into our hands; in proof of this assertion we need only mention the Deputy Matos of Potosi, captain general Pumacagua, general Angulo, and his brother, the commandant Munecas, and other partizan chiefs, shot in cold blood, many days after having surrendered as prisoners,

In the district of Valle Grande they indulged themselves in the brutal sport of cutting off the ears of the natives, and then transmitting a panier full of them to head quarters; they afterwards destroyed the town by fire; burnt about forty populous villages of Peru, and took a hellish pleasure in shutting up the inhabitants in their houses before setting them on fire, in order that their unhappy victims might be burnt alive.

They have not only shewn themselves cruel and implacable, in murdering our countrymen, but they have thrown aside all regard to decency and morality, causing old men of the religious profession, in

the public places,and women, made fast to a cannon, but first stripped naked, and their bodies exposed to shame.

They have established an inquisitorial system for all these punishments: they have dragged out peaceful inhabitants from their houses, and transported them across the ocean to be tried for pretended offences, and have executed without trial a multitude of citizens.

They have chased our vessels, sacked our sea-coasts, murdered defenceless inhabitants without sparing clergymen, and those in extreme old age; by the order of general Pezuella, they burnt the town of Puno, and meeting with no others, they put to the sword old men women, and children. They have excited atrocious conspiracies among the Spaniards residing in the midst of us, imposing upon us the painful necessity of putting to death the fathers of numerous families.

They have compelled our brothers and sons to take up arms against us, and forming armies by the impressment of the natives of Peru, have compelled them under the command of Spanish officers to fight against our troops. They have excited domestic insurrections, corrupting with money, and every species of seduction, the pacific inhabitants of the country, in order to involve us in a frightful anarchy, and to enable them to attack us weakened and divided. They have displayed a new invention of horror, in poisoning fountains and food, when beaten in La Paz by general Pinelo; and the mildness with which they were treated, when compelled to surrender at discretion, was rewarded by the barbarous act of blowing up the barracks, which had been previously mined for the purpose.

They have had the baseness to attempt to tamper with our governors, and generals, and abusing the sacred privilege of flags of truce: they have repeatedly written letters inciting to treason. They have declared that the laws of war, recognized by civilized nations, ought not to be observed towards us, and with contemptuous indifference replied to general Belgrano that treaties could not be entered into, or kept, with insurgents.

Such had been the conduct of Spaniards towards us when Ferdinand of Bourbon was restored to the throne. We then believed that the termination of our troubles had at last arrived; it seemed to us, that the king, who had been formed in adversity, would not be indifferent to the miseries of his people; we therefore despatched a deputy to him, to make known our situation. We could not doubt but that he would give us a reception worthy a benign prince, and that he would feel an interest in our supplications, as well from gratitude as from that beneficence, which the Spanish countries had praised to the skies. But a new, and before unknown ingratitude was reserved to be experienced by the countries of America, surpassing all example that the history of the worst of tyrants can present.

Scarcely had he returned to Madrid, when he,without ceremony, at once, declared us insurgents. He disdained to listen to our com-

plaints, or hearken to our supplications, tendering a pardon as the only favor he could offer. He confirmed in authority the vice roys, governors, and generals, who had perpetrated the bloody deeds before detailed. He declared as a crime of state, the having pretended to form a constitution for ourselves, that we might be placed beyond the reach of the capricious, arbitrary, and tyranic power, to which we had been subjected for three centuries; a measure which could displease none but a prince, who is inimical to justice and beneficence, and consequently unworthy of ruling.

With the aid of his ministers, he at once set to work in collecting forces for the purpose of being sent against us. He caused numerous armies to be transported to this country, in order to complete the devastations, conflagrations, and robberies, so well begun. He availed himself of the moment when complimented by the principal European powers on his return from France, to engage them to deny us every succor, and to look on with indifference, while he was gratifying the cruelty of his disposition in destroying us.

He has established a peculiar regulation for the treatment of American privateers, barbarously ordering their crews to be hanged; he has forbidden the observance towards us of the Spanish naval ordinance, established in conformity with the laws of nations, and he ha denied every thing to us which we invariably allow to his subjects captured by our cruisers. He sent his generals with decrees of pardon which they caused to be published with no view but to deceive the simple, and ignorant, in order to facilitate their entrance into cities and towns; but giving at the same time private instructions, authorizing, and commanding them after having thus obtained possession, to hang, burn, sack, confiscate, assassinate, and to inflict every possible suffering, on such as had availed themselves of such suppositious pardons. It is in the name of Ferdinand of Bourbon that the heads of captured patriot officers have been stuck up on the highways; that a distinguished partizan leader has been actually empaled; and that the monster Centano, after having murdered col. Gamargo in the same manner, cut off his head, and sent it as a present to general Pezuela, informing him that it was a miracle of the *Virgin del Carmen.*

It has been by a torrent of evils, and bitter afflictions such as these, that we have been compelled to take the only course that remained to us. We reflected deeply on our situation, and future fate, and turning our eyes to every quarter, we were unable to see any thing but the three elements, of which it must necessarily be composed, opprobrium, ruin, and abject submission. What could America expect from a king, actuated at the very moment of seating himself on the throne by sentiments so inhuman? Of a king, who previous to commencing his devastations, hastened to prevent the interposition of any other prince to restrain the effects of his insensate fury? Of a king, who has no other rewards but chains, and gibbets, for

the immense sacrifices of his Spanish subjects in releasing him from captivity? Of subjects, who, at the expense of their blood, and of every privation, have redeemed him from a prison, in order to bind his temples with a crown? If those men, to whom he owed so much, thus received death, were doomed to perpetual imprisonment, or to base slavery, for no other crime than that of having framed a constitution, what might we not expect to be reserved for us. To hope for a benign treatment from him, and from his bloody ministers, would have been to seek among tigers for the mildness of the dove.

Then, indeed, would have been repeated towards us the ensanguined scenes of Caracas, Carthagena, Quito, and Santa Fee; we should then have spurned the ashes of the eighty thousand persons who have fallen victims to the fury of the enemy, and whose illustrious names with justice call for revenge, and we should have merited the execrations of every succeeding generation, condemned to serve a master, always disposed to treat them, and who by his nullity on the sea has become impotent to protect them from foreign invasion.

We therefore, thus impelled by the Spaniards, and their king having declared ourselves independent, and in self defence against tyranny, have staked our honors, our lives, and our fortunes. We have sworn before the Supreme Judge of the Universe, that we will never renounce the cause of justice, that we will not permit the country which he gave us to be buried beneath ruins, and submerged in blood by the hands of executioners; that we shall never forget the obligations that we owe to save her from the dangers which threaten her, nor the sacred right to require of us all necessary sacrifices to prevent her from being soiled by the foul footsteps of tyrants and usurpers. This declaration is engraven on our hearts, that we may never cease to combat in her cause. And at the same time that we unfold to the world the motives that have induced to this step, we have the honor to make known our desire of living in peace with all, and even with Spain herself from the moment she thinks proper to accept our offer.

Given at the congressional hall in Buenos Ayres, 25th of October, 1816.

Dr. Pedros Ignacio de Castro y Banos.
President.

Jose Euginio de Elias,
Secretary.

D.

Notes, which the Secretary of State, in the Department of the Government, and of foreign relations, places in the hands of Messrs. the Deputies of the United States of North America for the information of the President of those States.

The nation is styled the United Provinces of South America.

The number and denomination of each, with its intendencies and chief towns of districts (Cabezas de Pardido) according to the former state of the vice royalty appears in Document No. 1.

In 1814. five more provinces were erected, whose names are, Tucumax, Mendoza or Cuyo, Corrientes, Entre Rios, and Oriental del Rio de la Plata.

The capitals of the two latter, are the town of Conception del Urugway or Arroya de la China, and the city of Monte Video.

Out of the fourteen provinces, into which the territory of the ancient vice royalty is now subdivided, there are nine in the hands of the patriots, which are stated in said document under the title of free provinces; and those occupied with troops or under the influence of the Spanish army, are the other five, whose names are, Potosi, Plata or charcas, Cochabamba, la Paz and Puno.

In all the territory of the ancient royalty, there is but one archbishopric, which is that of La Plata, and six bishopricks which are stated in said document, under the denomination of Suffragans.

The territory of the United Provinces, contains one hundred and forty-five thousand square leagues. Their population according to the nearest estimate amounts to one million, three hundred thousand, without including the aborigines. Their productions, manufactures, and articles of commerce will be seen in statement, No. 2.

The political state of the provinces called free, is quiet and tranquil; they are under the influence of the supreme direction of the states, which resides in Buenos Ayres. They have their governors in the intendencies, or capitals: Lieutenant governors in the chief towns, villages &c. The province of Assumption del Paraguay, is an independent state, as also the Oriental del Rio.

The funds, public revenues, and annual expenditures, will be seen in the statement, No. 3, with the notes on the same.

The land military force of the united territory, appears in the statement No. 4 and 5, the latter shews the amount of arms, and munitions of war, which it possesses in its armies, parks, in its manufactories, and its armory.

The naval force will be seen in the statement Nos. 6 and 7.

The authority of the supreme director, of his secretaries, and of the tribunals of justice, are detailed in the provincial regulations, a copy of which is annexed under No. 8.

There is a tribunal of prizes, which is composed of the secretary of the war department; the president of the chamber of appeals; the assessor del govierno, and the auditor general of war; there is another tribunal which takes cognizance of appeals from the decisions of the former, and is composed of the supreme director of the state, the secretary of state for the government, and for foreign affairs and the secretary of the treasury. This tribunal takes cognizance also, in case of supplication, and all being subject to the reglamento del corso, No. 9, and other special regulations, which, although not appearing in the provincial regulations, established by congress, are notwithstanding been approved by the same.

At the present moment the formation of a constitution for the state, is in progress. A committee consisting of members of congress are assiduously engaged, and will soon present a project of the constitution.

The population of the city of Buenos Ayres, according the census of 1815, amounted to fifty thousand nine hundred and ninety-nine inhabitants. This census was inaccurate and underrated. Since then, the emigration of foreigners has been unusually great, as also the emigration of numerous families from the Banda Oriental, and Entre Rios, so that its population is at present estimated at sixty-two thousand souls.

Besides other institutions, this capital has, what is called the colegio seminario; another institution for the education of youth, called the Union of the South, will be opened on the 25th May next, with a general plan of education, particularly of the languages, and sciences: there is also an academy of jurisprudence: one of drawing, four of the study of medicine, and board for the examination of those who prepare to practice.

There are three printing offices, a public library with twenty thousand volumes: schools for teaching the first elements in every parish: there is a society of men of taste for the stage: another of friends of the country: another of agriculture: a cannon foundery: a manufactory of small arms: one of swords: an armory, three parks of artillery: three powder magazines, and a variety of manufactories in different branches.

The independence of the state was declared at Tucumar the 9th of July, 1816, the congress being assembled at that place, and there sanctioning it. To obtain its acknowledgment by foreign powers, communications and invitations have been made to them, and in Europe there is an envoy extraordinary to its several courts, he is doctor Bernardine de Rivadavia.

These provinces have been defacto independent of Spain since the year 1810, when they openly made war upon her in Peru, in Paragway and in Monte Video. Eearly in 1813, as soon as the province of Potosi was taken possession of by the patriots, they coined money there, impressed with arms of the state, hoisted the national flag,

and took other public steps, which were equivalent to the most solemn declaration of the new rank which they assumed.

They armed a considerable number of privateers, which have ruined the Spanish trade, and they have even blockaded some ports in the peninsula.

It was not the proclamation of independence which gave origin to the rights of the Americans, it merely recognized them, as they had before existed, and had been claimed since the memorable epocha of the 25th of May, 1810.

It appears unnecessary to make any further explanations of those facts and circumstances, which having come within the knowledge of the commissioners, particularly of late, must have afforded the information desired.

GREGORIA TAGLE.

Buenos Ayres, April 21, 1818.

No. 1.

Table of the ancient division of the Viceroyalty of Buenos Ayres.

Provinces or Intendencies.	Intendencies.	Archbishopricks.	La Plata.
Buenos Ayres.	Monte Video.	Yampais.	Paraguay.
		Jonina.	Sta. Cauz de la Siera.
	Monte Video.	Palaya and Paspaya suffragans.	La Paz.
	Corrientas La Plata.	Oruro.	Buenos Ayres.
	Sta. Fee.	Paria.	Cordova.
	Maldonado.	Carangas.	Salta.
	Colonia.		
Paragua.	Villa Rica.	St. Cruz de la Siena.	
		Valle Grande.	
	Curiguate.	Misque.	Buenos Ayres.
	Villa Real, Cochabamba.	Eliza.	Paragua.
Cordova.	Mendoza.	Arque—free provinces.	Mendoza.
	Rioja.	Tapicure—including those.	Tucuman.
	St. Juan.	Ayopaya, laid off in 1814.	Salta. [*See note.*]
	St. Louis.	Sacaba.	Corrientes.

TABLE.—Continued.

Provinces or Intendencies.	Intendencies.	Archbishopricks.	La Plata.
Salta.	Jujui.	Paycayas.	Oriental.
	Tucuman.	Sicasica.	Entre Rios.
	Santa del Estero La Paz.	Onvasayos.	
	Catamarca.	Laricayo.	
Potosi.	Porco	Chulumani.	
	Chayante.	Apolobamba.	
	Chichas.	Lampa.	
	Tarija.	Caravaya.	
	Puno.		
	Lipes.	Arangaro.	
	Atacama.	Chicuito.	

NOTE.—These are the intendencies and chief towns of subordinate districts; as each one has a number of other districts belonging to it.

Buenos Ayres, April 21, 1818.

TAGLE.

[No. 2.]

Shewing the productions, manufactures, and branches of commerce, of the free Intendencies and their dependencies.

BUENOS AYRES.

Grain, hides, tallow, wool, hair, horns. These are an inexhaustible supply of commercial resources: the trade with the Pampas Indians alone in montas, wool, salt, bridle reins, and feathers, exceed the sum of $ 100,000 per annum.

PARAGUAY.

Wood of a superior quality of many varieties; the herb mati, tobacco, guambe, and peasaba for cables, honey and molasses, dried sweetmeats, sugar, rice, cotton cloths, various kinds of gums and raisins, beautiful birds.

CORDOVA.

Grain, hides, woollen and cotton cloths, raising of mules and herds, excellent lime, minerals of gold and silver.

MENDOZA.

Dried fruits of many different kinds, wines, and brandy, grain, cattle, woollen cloths, carriage of goods, and wagons for the transportation of commodities to Chili, Buenos Ayres, and other provinces, minerals of gold.

TUCUMAN.

Woods, grain, rice, oranges, mani, tobacco, honey, wax, excellent cheese, woollen and cotton cloths, raising of herds, transportation of merchandise, and wagons.

SALTA.

The raising of herds, mules, of which there is annually sent seventy or eighty thousand head to Peru, grain, sugar, honey, molasses, and brandys, wool of a superior quality, as also of the vacuna, cloths of it, woods, minerals of gold and silver, copper, iron, and tin, sulphur, allum, and vitriol.

CORIENTES.

Hides, hair, cotton, agi, mani of different kinds, honey, dried sweetmeats, sugar. charcoal, cotton and woollen cloths.

ENTRE RIOS AND BANDA ORIENTAL.

Ox hides, horse hides, deer skins, otter and chin chilla skins, tallow, dried and salt meat.

Buenos Ayres, April 21, 1818.

TAGLE.

No. 3.

GENERAL TABLE furnished by the Secretary of the Treasury, in pursuance of the order of the Supreme Director of the state shewing the capitals or funds and branches, which compose the mass of the national revenue, its produce in the year 1817, the expenditures, and the balance remaining in the treasury at the end of the same year, with an account of the other funds and capitals of the state, debts, and credits, viz.

Branches of the Revenue—1st class.	Receipts, 1817.	Expenditures. 1817.	Balance.
Balance in the treasury, 1st January, 1817	880 5¾		
Tenths and old duty of 1 1-2 per cent. on silver			
Fifths of gold			
Sales of land	823 4		
First fruits of civil officers	1,508 7¾		
Stamp paper	17,563 2		
Tavern licenses	16,750 2		
Other treasuries,	106,647 4		
Ninths of the state	4,276 6		
Invalidos, (or insolvencies)		260 5½	
Bills of exchange	369,427 0¾	369,427 0¾	
Ordinary revenue	885,074 1¼	65,143 5	
Receipts of the custom house, pledged in the same	1,113,102 3¾	1,113,102 3¾	
Idem. idem.	98,604 6	73.988 4¼	
Receipts from the post office	336.890 3¾	336.558 7½	
Idem of the police	50,156 2	49.484 4½	
	3,001,709 0½	2,007,965 7¼	

General Table.—Continued.

Branches of the Revenue—1st class.	Receipts, 1817.	Expenditures, 1817.	Balance.
Expenditures charged on the mass of the revenue.			
Salaries of civil or political officers . . .		56,164 3¾	
Idem of ministers and foreign agents . . .		9,584 5	
Idem of the military, and expenses of the war department		453,050 2¼	
Contingent expenses		430,853 6¼	
	3,001,709 0½	2,957,619 0½	
Branches of the second class.			
Vacant benefices	17,245 3	6,509 7¼	
Escheats	1,900		
Ecclesiastical first fruits	75		
Ecclesiastical dues	111 5		
Temporarities (or glebes)	6,784 2½	8 959 4	
Military fund	812 5	11,683 6	
Ministerial id.	4,976 2	4,084 5	
Surgeons' id.	93 5		
Municipal war		60 7½	

Branches of the second class.	Receipts 1817.	Expenditures, 1817.	Balance.
Extraordinary			
Deposits	3,479 6	14 306 6	
	3,037.187 5½	3,003 224 4¼	33 963 1¼
Result or summary.			
Produce of all the branches, 1817, . . .	. .	3,037.187 5½	
Expenditures of the same, in the same, . . .	. .	3,003,224 4¼	
Remaining in the treasury, in cash, . . .	. .	33,963 1¼	
In deposits, ...	. .	6,429 2½	
In capitals of temporarities, placed at interest, redeemable at five per cent.	. .	93,359 3¾	
In good unsettled accounts of former years . .	. .	8.554,404 2¼	
Amount in property, good accounts, deposits, and sums at interest	. .	8,688,156 1¾	
Idem, real and personal estate of the commonwealth .	. .	9,310,472 5¼	
In advances made by the state treasuries . . .	. .	297,078 7¼	

General Table.—Continued.

Balance on accounts liquidated,		759,889 7
Total of the funds of the state,		19,055.597 5¼
Debts of the state,		1,438.054
Balance in favor of the national fund,		17,617 543 5¼

Exposition of the property and funds of the state, in all their various classes.

In cash in the treasuries of the state, of the custom house, post office, and police			33,963	1¼
In good unsettled accounts of former years			8,554,404	2½
Deposits			6,429	2½
In capitals of temporarities at 5 per cent. interest			93,359	3¾
			8,688,156	1¾

In real and personal estate of the Commonwealth.

By value of the effects in the storehouses of the treasury	2,263,104	1¼		
Of amount in custom house chests	2,233	2¾		
Of the custom house and resguardia and fifteen vessels	12,197			
Of the marine and fifteen vessels	188,199			
By value of the public library	158,322	3½		
By idem of the commissariat of clothing	53,462	3½		
By idem of edifices belonging to the state, and under the direction of the secretary of the treasury	928,625	¼		
By idem of others, in which the state has an interest	70.000			
By idem of mathematical instruments	2,184	4		
By idem of the articles belonging to the police	24,017	2½	9,310,472	5½
By idem to the general of accounts	3,259	¼		
By idem of the proceeds of the post office and the buildings	60,895	¼		
By idem of the college de la Union, Temple, and adjacent buildings, &c.	2,000,000			
By idem of the edifice which serves as a military prison	45,000			
By idem of the furniture, &c. of the different offices in the fort or government house	15,000			
By idem of the arms, ordnance, and munitions of war, with the armies	460,149	7		
By idem of the general park in this capital	1,337,876	3½		
By idem of the cannon foundery	59,312	3		

By idem of the manufactory of small arms - - - -	88,206	½	
By idem of the arsenal - -	307,535		
By idem of military edifices in the capital and at Ensenada - -	1,168,981	5½	
By idem on the frontier - -	26,000		
By idem of the effects, &c. in the storehouses of the commissariat of war	29,652	4	
By idem in that of the capital -	6,258		
Advances.			
Those made from the state treasury -			297,078 7¼
Balances on accounts settled.			
On those liquidated by the general treasury - - - - -	62,908	2	
Same at the custom house - -	454,396	4	
Same at the post office - -	16,039	1	
Same by the collectors of contributions from commerce, from different bodies, incomes, bread, and beef -	176,200		759,889 7¼
Same by the debt due from the state of Chili, as far as liquidated -	50,346		
			19,055,597 5½

Notes.

1st. The public lands of the state, which consist of hundreds of leagues in the vast extent of the provinces, and whose value may be estimated at many millions of dollars, is not included in this statement.

2d. The whole of the property and funds exhibited, relates only to the province of Buenos Ayres, excluding those of Entre Rios, Sta. Fee, and Corrientes; without making mention of the estimates of the rest, which amount to many millions, in the produce of their peculiar branches and property of different kinds, on account of some of them being occupied by the enemy, and not possessing sufficient data to state the particulars with accuracy; nevertheless, according to the table of estimates made by the general of accounts in the year 1810, taking the whole of the provinces of the ancient viceroyalty, which at present compose the union, it appears that at that date the liquidated estimates, without including incomes, lots of ground, capitals at interest, and other funds, but merely the administrable proceeds, amounted to six millions eleven thousand eight hundred and two dollars.

3d. No mention is made in this table of the annual revenues of the Cabildo of this capital, which in 1817, amounted to $367,263, because, as municipal funds, they have their peculiar destination; leaving however a considerable residue, which in case of necessity by the state, may be appropriated to its use, as also those of the other Cabildos of the union, of which, from the distance and shortness of time, it has not been possible to give an exact account.

4th. The amount of public debt acknowledged by the state, accrued in former years, until the close of last December, paid during the administration of the present director, is $ 1,135,483 5¾.

5th. Although the post office establishment produces, at present, after deducting all expenses, a small balance in favor of the state, this is owing to the franks on ultramarine communications, and the interruption of intercourse with the provinces occupied by the enemy; but in case of their becoming free, the administration of this capital alone, will produce a surplus of $ 30,000, and the interior provinces in proportion.

ESTEVAN A GASCON

Buenos Ayres, 14*th April*, 1818.

No. 6.

TABLE shewing the vessels of war, of the navy of the state which are at present in commission.

Vessels.	Officers.	Mariners.	Seamen.	Guns.	Muskets.	Pistols.	Cutlasses.	Pikes.
Brig Belen	2 Comdt. & Secd.	20	26	12—2 of 18—8 of 8—2 Swivels.	34	12	10	20
Idem Aranzair	2 Comdt. & Secd.	24	34	10—2 of 18—8 of 8.	20		12	18
Idem 25 May	2 Comdt. & Secd.	18	25	14—2 of 18—8 of 8—& 2 Car. of 8.	15	25	24	6
Galvez	2 Comdt. & Secd.	7	22	8 of 6—8.	8	4		
Chacabuco	2 Comdt. & Secd.	10	23	8 of 8—10 Car. of 10.	14			16
Cutter Invincible	2 Comdt. & Secd.	8	18	8 of 6.	8	3		
Fortune	1 Comdt.	7	17	8 of 8 Car.—6 of 6.	9			
FaluccaSt. Martin	1 Comdt.		20	1 of 8.	7		6	
Total 8	14	94	185	69 different calibre.	115	44	52	60

NOTE.

There are besides the above mentioned brigs, the Eol and the Rosario, which are at present engaged in procuring their crews; also there are two gun boats; a fellecho and a launch employed.

Buenos Ayres, March 13, 1818

MATTIAS DE ALDAO.

[6]

No. 7.

STATEMENT of the private armed vessels which have sailed from this port since the month of June, 1817.

1817.		
June 25	Ship Argenteiva	Captain Hippolito Buchard.
August 18	Brig Atrevido del Sud	Captain John D. Handell.
November 6	Corvette Union	Idem John Brown.
Idem 20	Schooner Pueyrredon	Idem Diego Barnes.
December 6	Brig Independence	Idem Tuan Grinaldes.
1818.		
January 19.	Schooner Tucuman	Idem George Wilson.
Idem 3	Schooner Cyripo	Idem Adam Pond.
February 20	Schooner Buenos Ayres	Idem Juan Dester.
Idem 24	Schooner Alerto	Idem Daniel Claytor.
Idem idem	Ship Vigilancio	Idem George Ross.
March 4	Corvette Picado de Buenos Ayres, trading and cruizing	Captain Ebenezer H.Atis.

Buenos Ayres, March 18, 1818.

IRIGOYER.

I send you, gentlemen, the statements and notes, which exhibit the present situation of the United Provinces of South America, in order that, with the information they may afford, his excellency, the President of the United States of North America, may proceed in his steps in relation to these countries, in the way most conformable to his high intentions, and to the greater prosperity and aggrandizement of the new world.

God preserve you many years &c.

Buenos Ayres, April 22, 1818.

GREGORIO TAGLE.

Messrs. C. A. Rodney & J. Graham.

E.

Provisional regulation, sanctioned by the Sovereign Congress of the United Provinces of South America, for the government of the state, to be observed until the adoption of the Constitution.

SECTION I.

Of men in society.

CHAPTER 1.

Of the rights which belong to all the inhabitants of the state.

Art. 1. The rights of the inhabitants of the state, are those of reputation, liberty, equality, property, and security.

Art. 2. The first has an acceptation so uniform as to render its explanation superfluous. The second, is the good opinion of his fellows, which every man strives to win by the rectitude of his conduct. The third, is the right of acting according to the dictates of a man's own will, so long as he neither violates the rights of the public, nor those of individuals. The fourth, consists in the law being equal to all, preserving alike the rights of the weak and the powerful. The fifth, is the right of full and unmolested enjoyment of property. The sixth, is the guarantee granted by the state to every one, that his rights shall not be violated unless the conditions be broken, upon compliance with which their enjoyment is, by law, made to depend.

Art. 3. Every inhabitant of the state, be he American or foreigner, citizen or not, shall enjoy these rights.

CHAPTER 2.

Of the religion of the state.

Art. 1. The Apostolical Roman Catholic religion shall be the religion of the state.

Art. 2. Every man ought to respect the public worship, and the holy religion of the state: the violation of this law shall be deemed an infraction of the fundamental laws of the country.

CHAPTER 3.

Of citizenship.

Art. 1. All the municipalities of the provinces shall form immediately a public register, to consist of two books, in one of which it

shall be an indispensable duty to write the names of all the citizens, with a statement of the age and origin of each: in the other, shall be written the names of those, who have lost the right of citizenship, or are suspended from its enjoyment.

Art. 2. Every citizen shall obtain a certificate, signed by the *alcade ordinario de primer voto*, and attested by the notary of the municipality, of his enrolment in the register aforesaid, without which evidence he shall not vote at the elections hereinafter mentioned.

Art. 3. Every freeman born and resident in the territory of the state, is a citizen, but shall not exercise the rights of citizenship until he shall attain the age of twenty-five, or be emancipated.

Art. 4. Every foreigner, of the same age, who may have established himself in the country, with the intention of fixing there his domicil, and having been resident there for four years, shall have become possessed of four thousand dollars worth of property, or not holding property to such amount, shall exercise some trade, or pursue some occupation useful to the state, shall enjoy the right of suffrage in the assemblies of the citizens, provided he know how to read and write.

Art. 5. After ten years residence he shall be eligible to all public employments, except those of the administration of the government; but to entitle him to the right of suffrage, and to render him eligible, he must first renounce all other citizenship.

Art. 6. No European Spaniard shall enjoy the right of suffrage, or be eligible to office, while the independence of these provinces is unacknowledged by the government of Spain.

Art. 7. With the exception of Spaniards of this class who have declared in favor of liberty, and have rendered distinguished services to the state—these shall enjoy citizenship, proper letters of naturalization being first obtained.

Art 8. Those born in the country, of African blood, whose ancestors may have been slaves in this continent, shall have the right of suffrage, their fathers being freemen, and shall be eligible to office, provided they be in the fourth degree from said ancestors.

Art. 9. Those Spaniards, and other foreigners, who solicit citizenship, must first prove their good conduct.

Art. 10. They shall both swear to defend, even to the extent of sacrificing property and life, the independence of the United Provinces of South America, against that of the king of Spain, his successors, and the metropolis, and every other foreign power; the supreme director shall have the power to appoint one or more commissioners to administer the oath.

Art. 11. Letters of naturalization shall be granted only to those who have resided four years within the territories of the state, unless eminent merit, distinguished services, or the public weal, demands that such residence be dispensed with; it shall be left for the present

to the wisdom of the supreme director to determine when it shall be expedient so to dispense with it.

Art. 12. The proofs of adhesion to the sacred cause of national independence, and other requisites expressed, shall be made before the governors or lieutenant governors of the provinces, in whose territories the applicant may reside, with formal hearing before the *síndico procurador*, on being notified by the municipality, and the said governor; and in default of this, the application shall be rejected.—The letters of naturalization shall be published in the Ministerial Gazette.

CHAPTER 4.

Of the privileges of citizenship.

Art. 1. Every citizen is a component part of the national sovereignty.

Art. 2. In virtue of which, he has the right of suffrage, and is eligible to office, in those cases designated by this provisional regulation.

CHAPTER 5.

Of the several modes in which citizenship may be lost, and its enjoyment suspended.

Art. 1. Citizenship shall be lost, by naturalization in a foreign country: by accepting offices, pensions, or titles of nobility, from another nation; by the illegal infliction of corporal or infamous punishments; by fraud in a debtor, until, the reproach being wiped away, a new qualification be obtained.

Art. 2. Citizenship shall be suspended when a debtor to the state is under execution: by accusation of a crime, provided it be well founded, and the punishment prescribed be corporal or infamous; by being a hired domestic servant; by not holding property, or pursuing some occupation lucrative, and useful to the country; by madness or insanity.

Art. 3. Any magistrate who deprives a citizen of his right of citizenship, except for the causes enumerated in article 2, shall be punished by being deprived of his own.

Art. 4. Those judges who shall neglect to convey to the several municipalities information of the names which ought to be erased from the register mentioned in art. , chap 3, in consequence of legal conviction of crime, shall be deprived of the right of suffrage, and be ineligible at two succeeding elections.

CHAPTER 6.

Of the duties of every man in the state.

Art. 1. Every man in the state, owes, in the first place, complete submission to the law, doing the good which it enjoins, and avoiding the evil which it prohibits.

Art. 2. Obedience, honor, and respect, are due to the magistrates, as ministers of the law, and first citizens.

Art. 3. Every man, unless he be a foreigner, shall cheerfully make all the sacrifices required by the country in its necessities and dangers, not even excepting that of life.

Art. 4. It is his duty to contribute to the support and preservation of the rights of the citizen, and to the felicity of the state.

Art. 5. To deserve the delightful and honorable title of *man of worth*, being a good father of a family, a good son, a good brother, and a good friend.

CHAPTER 7.

The duties of society.

Art. 1 Society ought to secure to its members the enjoyment of the rights of man.

Art. 2. It ought to alleviate the misfortunes of the citizens, and to use adequate means for their prosperity and instruction.

Art. 3. Any regulation, or statute, contrary to the principles established in the preceding articles, shall be of no effect.

SECTION II.

Of the legislative power.

CHAPTER 1.

Art. 1. The legislative power is resident originally in the nation, its permanent exercise, the mode, and its limits, shall be established by the constitution of the state: in the interim, this provisional regulation shall be in force, which shall be neither amended, interpreted, or have any addition made it, except by the sovereign congress, two-thirds of its members concurring in the measure, and circumstances demanding its adoption.

Art. 2. Until the constitution makes proper provision, all the statutes and regulations, as well general, as particular, of the ancient Spanish government, which may not be hostile to the liberty of these provinces, nor in contrariety to this provincial regulation, and also such of the regulations, made since the 25th of May, 1810, as are in conformity with it, shall subsist.

Art. 3. The supreme director of the state, the judges, and public officers, of every denomination, may communicate to congress, and consult with that body, upon the doubts that may occur in the application of the laws and regulations, general, or particular, whenever they consider them in conflict with declared rights, and the actual system of the government; and the resolutions adopted in consequence, shall be communicated to the executive power.

SECTION III.

Of the executive power.

CHAPTER 1.

Of the mode of choosing the director of the state, and of his powers.

Art. 1. The supreme executive power, until by it elsewhere placed, is in the nation, and shall be exercised by a director of the state.

Art. 2. Until a constitution be adopted, the congress shall name, from among all the citizens of the provinces, him, most worthy, and best qualified for so high an office.

Art. 3. In case of the absence of the director, in the defence of the state, or of other legal impediment in the exercise of this office, the congress shall make suitable provision.

Art. 4. Those citizens who are natives of the country, and who have resided in it at least five years immediately preceding the election, can only be elevated to the Supreme Directorship.

Art. 5. The compensation of the director of the state shall be twelve thousand dollars annually, and he shall receive no other emolument.

Art. 6 The person filling this office shall continue in it until a constitution be adopted, or until such time, anterior to it, as congress may deem proper.

Art. 7. His title shall be that of *Excellency*, his guard and honors those of a captain general of the army, respect being had to the ordinance.

Art. 8. Upon his entrance into office, he shall before the congress, or such commissioner, or commissioners, as they may appoint, assisted by all the corporations of the place, take the following oath:

"I ———, do swear, by God our Lord, and these Holy Evangelists, that I will discharge faithfully, and conformably to law, the office of Supreme Director of the state, to which I have been appointed: that I will observe provisional regulation adopted by the sovereign congress the 3d of December, 1817: that I will protect the Apostolical Roman Catholic religion, being ever watchful to secure it respect, and observance: that I will defend the territory of the provinces of the union against all hostile aggression, adopting such measures as I

may deem suitable to preserve its integrity and independence: and I will retire from this office when the sovereign congress shall so order. If I do thus, God prosper me, if not, to him and my country, will I be accountable."

Art. 9. He shall watch over the execution of the laws, and the right administration of justice, urging its functionaries thereto, and to the carrying into effect the regulations of congress, giving for the last object, the necessary orders.

Art. 10. He shall submit to the consideration of the national representatives, projects and reforms, conducive to public happiness.

Art. 11. He shall be commander in chief of all the forces of the state; and shall have under his orders the navy, the army of the line, and the national militia of every description, for the protection of civil liberty, the defence, tranquillity, and good order of all the territory of the union.

Art. 12. He shall be the organ, and shall represent the United Provinces, for the purpose of treating with foreign powers.

Art. 13. When he deems a rupture with any foreign power, inevitable, he shall submit to congress the causes which impel to it.

Art. 14 If upon a view of these, or for other reasons, congress should decree war, the Supreme Director shall proceed to its solemn declaration, being authorized to raise land and sea forces to direct their movements, and to adopt all the measures necessary to the common defence, and the annoyance of the enemy, respect being always had to article 4, chap 1, sec. 6, of the army and navy.

Art. 15. He shall have the power of commencing, conducting, and signing treaties of peace, alliance, commerce, and other foreign relations, which, however, to be valid, must be approved by the congress, within the time stipulated for their ratification, he transmitting in this stage of the negotiation all the documents relating to it.

Art 16. In those cases in which secrecy is not essential to the happy result of negotiations, he shall submit to congress, their object, and their state, to procure from this body such assistance as may facilitate them.

Art. 17. He shall receive the ambassadors, envoys, and consuls of other states, and shall nominate those whom it may be proper to send to foreign courts.

Art 18. He shall appoint to all military offices, and employments, generalships of the army, and naval forces, conforming to the existing ordinances of the army and marine, so far as they may be applicable.

Art. 19. He shall have the power of rewarding meritorious officers by promotion, and by bestowing medals of such form, and design, as he may deem best without any allowance in money however, independent of the pay.

Art. 20. He shall have the general superintendence over all the

branches of the national property, and revenues, over mints, mines, posts and high ways.

Art. 21. He shall appoint for the present to all offices vacant in the Cathedrels of the United Provinces, and to all other benefices, to which pertain the right of presentation.

Art. 23. He may suspend public officers for just cause; giving afterwards an account to congress.

Art. 24. If the suspension be merely for reasons of policy, the sovereign congress itself shall take it into consideration.

Art 25. If it be for imputed criminality, the sovereign congress shall appoint a commission which shall not be of their body, before which the *Agente de la Camara* shall accuse the person suspended, and the said commission, having heard the parties, shall declare whether or not he deserves to be removed from office.

Art. 26. He shall have the power of removing officers to other offices, and if, in consequence, they should be greatly prejudiced, they may bring the affair before congress.

Art. 27. He shall nominate the three secretaries, of state—of the treasury—and of war, and their several officers, being responsible for the bad selection of the first.

Art. 28. He shall grant passports for travelling from the provinces of the state by sea and land, and licenses for the loading, unloading, and departure of vessels.

Art. 29. He shall be particularly careful to preserve unimpaired the credit of the state, being attentive to the collection of its revenues, and to the faithful payment of its debts, to the extent its exigencies will admit.

Art. 30. He may of his own authority expend freely the said revenues in defence of the state, during the war it is now raging for independence, with previous information in writing, from the secretaries of the treasury and of war.

Art. 31. He shall confirm or revoke in conformity to the opinion of his *asesor*, (who shall be the auditor general of war,) sentences passed on individuals by the military tribunes established in the armies, or in the capital, or by the ordinary councils of war in the other towns of the districts.

Art. 32. He shall have power of suspending the execution of the capital sentences, of pardoning or commuting punishments on the anniversary of the national independence, or on the occurrence of any signal event, which shall augment the glory of the state, hearing first the information communicated by the tribunal before which the convict has been tried.

Art. 34. He shall every year transmit to the national representation, an exact statement of all the receipts into the different treasuries of the state, and of the municipalities of the several provinces in money, or in credits together with the expenditures, debts, and credits, giving timely orders to those who ought to prepare said statement.

Art. 35. The orders of the Supreme Director shall be obeyed, exactly in the whole extent of the United Provinces.

Art. 36. He shall grant letters of naturalization for the present, and until a constitution be adopted.

CHAPTER 2.

Limits of the executive power.

Art. 1. The supreme director shall not send expeditions by water, or by land against any of the provinces in congress united or others of this continent, who are engaged in sustaining their independence, without the consent of congress previously obtained.

Art. 2. He may, nevertheless, do so in those cases in which it is absolutely necessary to act promptly, giving afterwards a particular account of such proceedings to the congress.

Art. 3. He shall, in no case, hold command of a particular regiment.

Art. 4. He shall not exercise any jurisdiction civil, or criminal, in virtue of his office, nor upon petition of the parties, he shall not alter the system prescribed by the law for the administration of justice.

Art. 5. He shall, in no way, interfere with the causes cognizable by the tribunals of justice either when pending, or when sentence has been pronounced, or carried into execution.

Art. 6. When the urgency of the case compels him to arrest any citizen, he shall within the third day after, place him at the disposal of the proper officers of justice to await their judgment, giving, at the same time a full statement of the motives of the arrest, and all other circumstances connected with it.

Art. 7. With the exception of those cases in which a compliance with what is required in the preceding article would endanger the public security, in which case he shall hold the arrested in custody with the consent of his assessor, and the fiscal of chamber of appeals, who shall share with him the responsibility for the time necessary to take the requisite measures for safety, placing him then at the judges disposal.

Art. 8. He shall neither impose new taxes, contributions, nor loans, nor augment those subsisting directly, or indirectly without a previous resolution of the congress.

Art. 9. He shall issue no order, nor make any communication without the previous subscription of the secretary of the department to which the business belongs, in defect of which subscription, the order, or communication shall be void.

Art. 10. He shall not grant to any person in the state monopolies, or exclusive privileges, except to the inventors of arts, or to establishments of public utility, with the approbation of congress.

Art. 11 The epistolary correspondence of the citizen is a thing sacred, which the director shall neither violate, nor intercept without incurring responsibility.

Art. 12. In cases, nevertheless, of well founded fear of treason, or subversion of the public order, at the discretion of the director, the secretary of state, and *Sindico Procurador de commun*, who in this case. shall each have a vote, being bound to secrecy and under equal responsibility, the former shall have the power of proceeding, with his said associates, to open and examine correspondence. The same power, under the same responsibility, and like obligation to secrecy in the governors, and lieutenant governors of the several provinces with their secretaries, and Sindico Procuradors, in defect of whom, the two first capitularies shall act.

Art. 13. Those who, upon a scrutiny, as aforesaid, of correspondence shall appear to be guilty of the crime of treason, or subversion of public order, shall be proceeded against and secured according to the greater or less imminence of the danger.

Art. 14. Except in the cases mentioned in article 30 of the preceeding chapter, the director shall not dispose of the funds of the state for extraordinary expenses, without the previous consent of the three secretaries, the assessor general and the fiscal of the Camara, and without its being made appear before the Escubano de Kaciendo, that the expenditure proposed, is useful and necessary.

Art. 15. He shall not exercise the prerogative given him in article 33, of the preceeding chapter, in case of treason, and other excepted cases.

Art. 16. He shall not bestow any office, civil or military, upon any person related to him in the third degree of consanguinity, or in the first of affinity, without the knowledge and approbation of congress.

Art. 17. With the exception of those who being already in service, may have been recommended for promotion by their respective chiefs, respect being had to seniority according to their merits.

Art 18. He shall not confer the grade of brigadier, or of colonel major, without the knowledge and approbation of congress.

Art. 19. Excepting the case in which for some brilliant action in war. or extraordinary military service, it may be proper to reward immediately, a chief whose grade is next to one of those abovementioned.

CHAPTER 3.

Of the secretaries of state.

Art. 1. The three secretaries of state shall discharge all the duties assigned them in the last ordinance, regulating their offices, which shall be in force, except where in contrariety to these articles.

Art. 2. They shall not in any case, business, or circumstances, deliberate without the previous order and notification of the director.

Art. 3. They shall have the power of communicating of themselves, the orders issued by government, in the affairs of men, or importance, being bound to make an entry thereof in the book of entries, as is provided.

Art. 4. They shall not attest decrees or regulations, contrary to the provisional regulation, not even at the request or command of the director; if compelled so to do, they shall make proper protests, and give immediate information of the affair to congress.

Art. 5. They shall be removable at the will of the director, equally with their subordinate officers.

Art. 6. When the removal is in consequence of inability, want of competent information, or any other defect compatible with integrity, they shall be indemnified with other employments suitable to their circumstances and merit. They shall incur no stigma by such removal.

Art. 7. When any one of these secretaries is removed for malversation, or upon petition of a party aggrieved, congress shall take cognizance of the case.

Art. 8. The Supreme Director may, ex officio, or upon accusation, proceed summarily against the secretaries giving an account of the proceeding to congress.

Art. 9. For the trial of the secretaries, congress shall appoint a commission, either of their own members, or of others, or it shall be appointed by such other body as they may substitute.

Art. 10. Sentence of acquittal pronounced by the commission, shall not necessarily be followed by a restoration to office.

Art. 11. The secretaries may, for good cause, challenge the commissioners, and they may appeal from the sentence to three individuals, to be chosen out of nine, whom the congress a second time nominating, shall appoint

Art. 12. The salary of these secretaries shall be three thousand dollars annually, to each; the official title *senor*.

SECTION IV.

Of the judicial power.

CHAPTER 1.

Art. 1. The judicial power is in the body of the nation, until by them elsewhere placed; it shall be exercised for the present, and until a constitution be adopted by the court established in article 14, of the following chapter; by the courts of appeal (las camaras de ape-

laciones,) and by the other judges. For those cases which have no court assigned by the law, congress shall provide.

Art. 2. The judicial power shall be entirely independent of the executive and its principles, its form and extent shall be subject to the laws by which it is established.

CHAPTER 2.

Of the courts of justice.

Art. 1. The courts of appeal (las camaras de apelaciones) shall have the same territorial jurisdiction as heretofore; shall be composed of five individuals, and one fiscal; when united in a body shall have the title of excellency, (excellentia,) individually, that of usted simply; their salary shall be fifteen hundred dollars each, free from payment of first fruits (media annata) and all other charges.

Art. 2. The presidency of the courts in the interior, and at certain public assemblages, shall be held in turn by the five members every four months according to seniority; the president shall take the votes, attend to the despatch of business, preservation of orderr, exercising all the powers of the ancient *regentes*, so far as they conform to this provisional regulation, and shall have the title of senior in official matters.

Art. 3. No one hereafter shall be named, even provisionally, for any of the offices of the courts of appeal, unless he be more than five and twenty years of age, and a lawyer who has practiced at least six years.

Art. 4. When vacancies happen in these courts, no nominations of persons to fill them shall be made by the director; in each vacancy four persons, being selected by the same tribunals, from among the lawyers of the district, after examination, and comparison of talents and services, and proposed to him.

Art. 5. The numerical order, in which the aforesaid four persons are proposed, shall give no preference, two of these shall be from the place where the court sits, the remaining two from other parts of the district.

Art. 6. These offices shall be holden during good behavior, but there may be removal from one count to another; and these officers shall be subject to scrutiny in their conduct every five years, or oftener, if justice should require it.

Art. 7. The court shall have two *Relatores* to be chosen after competition had; the salary of each shall be fifteen hundred dollars, and they shall have no other emolument.

Two assistants, one of the law civil, the other of the law criminal, dividing between them the business relating to the public revenues at the discretion of the fiscal. The salary of each shall be

twelve hundred dollars, without the ancient perquisite of *vistas* (presents.)

Two bailiffs (porteros) who shall each have a salary of five hundred dollars, and who shall execute alternately for a week the office of alquacil.

Six attornies (procuradores) whose intervention shall extend when parties choose to the subaltern judges of original jurisdiction, but not to the consulado, and the Juggados de Algadas y Disputaciones de Commercio.

And two escribanos (notaries) who shall only receive fees for services actually rendered according to the regulation (arancel,) without those called *tiras*,* which are henceforth forbidden.

Art. 8. They shall take cognizance, not only of all causes and business of which according to prior laws, the now abolished audiences had cognizance, but also of such astheprovisional regulation designates.

Art. 9. Appeals from the decrees of the *Tribunal de Algadas de Commercio* because of their nullity, or notorious injustice shall be decided in the aforesaid court of appeal (camaras.)

Art. 10. The trial of appeals (algadas) shall be taken in turn by the members of the court of the district in which the appeal occurs.

Art. 11. Questions that may occur between the ordinary and mercantile jurisdictions, shall be decided by the aforesaid president (camarista presidente) conforming to the character by which the consulado is established.

Art. 12. They shall take cognizance, for the present, of first appeals in cases of smuggling, and other branches of the revenue, leaving their trial, in the first instance, to the intendentes de provincia, but in cases of capture, or detention of vessels by public or private armed ships, the cognizance shall continue in the tribunals in which it is already vested.

Art. 13. When a second appeal is taken, because of nullity, or notorious injustice, the courts after hearing had, shall transmit an account of the proceedings, with the documents, to the director.

Art. 14. Who, with the advice of his assessor general (asesor general) shall nominate immediately a commission of five lawyers, who shall decide the cause, and having done so, shall be dissolved, while exercising this office shall have the title of excellency.

Art. 15. There shall be named by the director of the state, in the capital of every province, upon the recommendation under oath of its court, a lawyer who shall exercise the functions of judge of appeals throughout the said provinces.

Art. 16. His salary shall be eighteen hundred dollars, free from first fruits, and other charges.

*Fees paid when appeals were taken.

CHAPTER 3.

Of the administration of justice.

Art. 1. Justice shall be administered according to the principles, and method which have been heretofore observed, so far as is compatible with the subsequent provisions.

Art. 2. The judges of appeals in the several provinces shall take cognizance of all appeals in civil cases from the ordinary alcades, and other ministers of justice.

Art. 3. Appeals to the camaras, to the full extent given by law, shall be allowed to those interested in all cases, except those in which the amount of property involved is one thousand dollars, or less, when two similar sentences shall be conclusive.

Art. 4. They shall have cognizance of criminal causes of every kind referring to the court of appeals (los camaras) those which according to law ought to be referred to them.

Art. 5. Parties in the said causes shall have the privilege of resorting directly to the courts of appeal, (las camaras) passing by the provincial judge.

Art. 6. The ordinance of the twentieth of April, eighteen hundred and twelve, shall be abolished.

Art. 7 In criminal cases the accused shall have the privilege of choosing a person to assist him (padrino) who shall be present at his confession, and at the examination of the witnesses without prejudice to the lawyer established by law, and the practice of the courts.

Art. 8. The assistant mentioned in article seven shall take care that the confession and depositions of the witnesses shall be heard by the notary or judge, clearly and distinctly in the terms in which they may be expressed, without modification or alteration, assisting the accused, whenever from fear, want of intellect, or other cause, he is unable, unassisted, to make himself understood

Art. 9. Criminal causes of all classes which may be pending without this new mode of defence, shall be prosecuted according to the usual course of law.

Art. 10. The taking of oaths shall be restored without innovation in all cases, except that of the accused's confession of his own criminalty.

Art. 11. Sentences to hard labor, to whipping or a banishment, shall not be executed without previous consultation with the courts of appeals (las camaras) under the penalty of tw thousand dollars, and perpetual disqualification, to be inflicted upon the judge violating this important article.

Art. 12. Except in those extreme cases, in which the public safety is so greatly endangered by popular commotion, or other cause as not to admit of executions being deferred; information being always given to the camaras.

Art. 13. All sentences in criminal causes to be valid must be pronounced according to the express letter of the law; the infraction of this article shall be a crime, in the magistrate, punishable by the payment of costs, and all losses incurred in consequence.

Art. 14. By the last article, it is not intended to repeal the laws authorizing the infliction of punishment, at the discretion of the judge, according to the nature and circumstances of the offence; neither is intended to re-establish any others, which, from their cruelty, have been abolished, or softened by the practice of the superior tribunals.

Art. 15. No individual shall be arrested, without semi-plenary proof of guilt, at least, which shall be stated in the previous process.

Art. 16. At the end of the third day, the accused shall be informed of the cause of his arrest, and if the judge arresting be not authorized to take any further steps in the case, he shall refer it to the officer, to whom its recognizance belongs.

Art. 17. No accused person shall be prevented from taking the sacrament after his confession, nor at any time for more than ten days without just cause, which shall be entered of record, information of the obstacle to his communicating being given to the accused every third day while it continues.

Art. 18. Persons being for safe keeping, and not for the punishment of the accused, whatever, under the pretext of securing, serves only maliciously to harrass, shall be punished by the superior tribunals, and proper indemnity being given to the aggrieved.

Art. 19. To decree arrest, seizure of goods, and examination of papers, against any inhabitant of the state, his name, or the marks which distinguish his person, and the object of the proceeding, must be mentioned in the decree.

Art. 20. When goods are seized an inventory shall be carefully made of them in the presence of the accused, a duly attested copy of it shall be given to him, and they shall be placed for safe keeping in the custody of the notary employed in the case, or in defect of him, of the judge decreeing the seizure, and two witnesses.

Art. 21. When, at the time of seizure it is impracticable to make the aforesaid inventory, the goods shall be secured under two keys, one of which shall be taken by the judge, the other by the accused; when this is not practicable, the chests shall be closed, and sealed in his presence, and the doors of the house, which as soon as circumstances will admit, shall be opened in his presence, and the inventory made.

Art. 22. When the seizure must be made in the absence of the accused, the judge shall name a respectable and substantial citizen, who shall act for him, and be recompensed in proportion to his labor, but if the absence of the accused arises from sickness, he shall appoint such person as he pleases, as his substitute.

Art. 23. The judge, or deputy arresting any citizen (not being taken in the act) without conforming to article fifteenth of this chapter shall be removed; he who fails to do what is prescribed when goods are seized, shall be responsible to the owner, and make good any loss accruing in consequence.

Art. 24. The *Tribunal de Concordia*, being abolished, the judge having original jurisdiction, before taking cognizance of a cause, shall use all possible means of reconciling the parties.

Art. 25. Notaries shall serve personally notices on the parties, who are to subscribe them. In case of resistance, or incapacity to sign, the service shall be supplied by a witness, with a statement of the defect.

Art. 26. If the notary shall not find the party to be notified, at his house, he shall seek him there twice more, if then he does not find him there, he shall leave a paper signed by him, which shall contain the decree, or other matter he goes to serve, and it being made to appear in the process, that due diligence has been used to execute it, the same effects shall result as if the party had been personally notified.

Art. 27. Every omission of the notaries, in a matter so interesting, shall be punished by the judge before whom the cause is pending according to the enormity, and other circumstances of the case.

CHAPTER 4.

Of the governors of provinces.

Art. 1. The governors, and lieutenant governors shall not, in virtue of office, have any jurisdiction, civil, or criminal, retaining however, all the powers relating to revenue, police, and war.

Art. 2. The code of the intendencies shall be observed by them, and all other, to whom it relates, save only what relates to the junta superior de hacienda, which shall be abolished, and also what may be contrary to this provisional regulation.

Art. 3. Neither the governors, nor lieutenant governors shall use the power which the 15th article of the said code gives for confirming the decrees of the Cabildos.

Art. 4. In those cases, however, of well founded fear, that the public order will be subverted by executing said decress, they may suspend them, being responsible should the director not previously approve the proceedings.

Art. 5. All that is prohibited in chapter 2, section 3, to the Supreme Director of the state, shall be also forbidden to the governors, and lieutenat governors so far as it is applicable to their respective offices.

Art. 6. The office of deputy assessor of the intendencies, as established by the code mentioned in art. 2, shall be suppressed. Those

who have obtained this office, shall be attended to by the courts (Camaras) in their recommendations for other employments.

Art. 7. The governors, while in office, shall appoint as secretaries, such persons as they please, who must, however, be lawyers, and who shall assist them in the departments of government, enumerated in article 1, of this chapter, they shall, when they have thus nominated, inform the director, that he may grant proper commissions.

Art. 8. The salary of such secretary, shall be, for the present, twelve hundred dollars a year, including the six hundred provided by the code mentioned in article 2, for the expenses of the secretaryship, free from first fruits and other charges.

Art. 9. No public officer of the government, mentioned in the chapters of this section, shall receive any emoluments, except in case of services rendered in defect of the notary, other than those assigned by law to his office.

SECTION V.

The mode of choosing public officers.

CHAPTER 1.

Of the manner in which the governor, lieutenant governor, and subdelegados shall be chosen.

Art. 1. Governors, lieutenant governors, and subdelegados, shall be appointed by the director of the state, from the lists of persons eligible, either within or without the particular province, which the several Cabildos, the first month after election, shall form and transmit to him.

Art. 2. These lists, which shall be printed, shall not contain more than eight, nor less than four persons for each province.

Art. 3. Of those comprehended in one list, no more than two shall be chosen, unless a third should be included in the lists of another province.

Art. 4. The appointments of subdelegates of districts, having a numerous population, without Cabildos, shall be made provisionally, until municipalities are established in them.

Art. 5. The aforesaid officers shall hold their offices for the term of three years, at the expiration of which, they shall be subject to scrutiny into their conduct, (residencies.)

Art. 6. The salary of governors of provinces, in territory actually free, shall be three thousand dollars, and that of lieutenant governors, two thousand.

Art. 7. If any individual, by artifice, intrigue, bribery, or other unlawful means, procures the insertion of his name on the aforesaid list, it shall be erased therefrom by the director of the state, and he

shall be declared incapable of holding any office, there being sufficient evidence of his guilt.

Art. 8. If the Capitulares are, in any way delinquent in forming the said lists, they shall incur the punishment in the last article mentioned.

CHAPTER 2.

Election of Cabildos.

Art. 1. Election to deliberative offices, (empleos consiples) shall be by the people, in the cities and towns where Cabildos are established. But the notifications to electors shall not extend to those who reside beyond their precincts.

Art 2. The citizens, nevertheless, of the vicinity and county in the exercise of the rights of suffrage, may vote if they so think proper, at said election.

Art. 3. The city or town, shall be divided into four sections, in each one of which, the citizens comprehended in it shall vote for as many electors as correspond to the number of inhabitants in said district, in the proportion of one elector to every five thousand souls.

Art. 4. In the cities and towns, whose population may not be sufficient for the appointment of five electors, five shall, however necessarily be chosen, each votable voting in his own section for such persons as he deems proper.

Art. 5. At this election shall preside, a Capitular, associated with two Alcaldes de Vaino, and a notary, or in defect of him, two inhabitants of the vicinity, in the quality of witnesses; and it shall be holden on the fifteenth day of November.

Art. 6. The votary being concluded in the several sections, all the votes shall be collected in the Sala Capitular; and being publicly counted by those who have presided as aforesaid, associated with the Aldalde de Primer voto, those shall be elected who have a majority in their favor.

Art. 7. The electors shall meet on the 15th of December, in the same Sala Capitular, to make the election for the ensuing year, and it being made, they shall notify the elected, in order that they may be ready to enter upon their offices, as soon as the term of service of the Cabildo they are to succeed, expires, information being given to the governor and to the director of the state.

Art. 8. The Cabildos, the second day after entering into office, shall elect the *Alcaldes de Barrio Humandad* and *Pedaneros*, who may be necessary to maintain order and administer justice, according to the powers vested in them, in all the curacies and departments of the country, comprehended in their respective territories.

Art. 9. They shall form a book for the said elections, which shall be made to fall upon persons of the best repute for talents and integrity, residents in the vicinity, and who know how to read and

write; and they shall transmit a list of the persons elected, to the governor or lieutenant governor of the province, for his information.

Art. 10. They shall appoint an assesor, Letrado, who must be of the corporation, and one of the Alcaldo Ordinarios.

Art 11. The Cabildo, shall establish the salary of the asesor, it being charged upon the funds of the municipalty; if it has not been previously established, when such funds are inadequate, information shall be given to the Supreme Director, in order that he may make proper provision.

Art. 12. The governors and lieutenant governors and Cabildos already established, under the highest responsibility, shall be required to inform the congress of the places in which, from their possessing the requisite population, it may be proper to erect new corporations, with the titles of cities or towns.

CHAPTER 3.

Mode of appointing ministerial officers.

Art. 1. Those public officers, who are required to be lawyers, with the exception of the asesores de Cabildo, and secretarios, asesores de intendencias, shall be nominated by the director, upon the recommendation under oath, of the courts of appeal for the respective districts. The order in which persons may be named in the aforesaid recommendation, shall give no preference.

Art. 2. Recommendations for appointments to military offices of every grade and description, shall be strictly made according to the order and scale, which the ordinansa general del exercito prescribes.

Art. 3. Appointments to offices relating to revenue, police, dock-yards, manufactories, the office of captain of the port, and the like, shall be made by the director upon the recommendation of their respective chiefs according to seniority, when there is an equality as to abiiity and services.

Art. 4. The list of persons recommended shall be published by the chief recommending in the office or department where the vacancy happens, at least eight days before he transmits it to the director, that opportunity may be afforded to those aggrieved by it, to obtain suitable redress.

Art. 5. When his interposition is proper, the director shall interpose and proceeding summarily, declare the recommendation just, if he so finds it, and go on to nominate, or return it to the chief making it, to be amended.

Art. 6. In commissions, the qualifications and condition of the person commissioned, shall always be expressed, without which he shall not be enrolled in the tribunal of accounts and the offices which belong to it, nor receive the salary to which he would be otherwise entitled.

Art. 7. Appointments to the offices of chiefs of every description, shall be made by the director, respect being had to the right of choice in those in the vicinity where the vacancy happens, if such right exist, and timely information being given, as far as the public interest will admit; the director shall be responsible for the bad selection of the said chiefs.

Art. 8. All other offices in the state, the appointment to which, is not by law otherwise vested, shall be open to the director to be filled by him with such citizens as he may deem most suitable.

Art. 9. All ministerial offices shall be holden during good behavior.

CHAPTER 4.

Of the mode of electing the deputies from the provinces to the general congress.

Art. 1. Prior to the meetings of the primary assemblies (asambleas primarias) to be holden for the election of the deputies of the provinces, there shall be taken an accurate census of all the inhabitants of each district, unless it has been already done, at least eight years from the present time, with a statement of that portion of the population inhabiting cities, towns, and villages.

Art. 2. The primary assemblies in the cities and towns which have municipalities, shall be held in four sections, in each of which shall preside one member of the municipality, and two jueces de barrio, of the greatest probity, assisted by a notary, if there be a competent number of these officers; if otherwise, in the presence of two witnesses.

Art. 3. In every section, the votables shall vote for so great a number of electors as shall correspond to the total of population, in such manner as that there shall be one elector for every five thousand souls; but if the city or town does not admit of division into four sections, all the citizens shall vote in one place.

Art. 4. In the country, the same proportion shall be observed at elections, but the method as to the sections shall be different.

Art. 5. In every primary assembly, there shall be sections, and each citizen shall vote therein for an elector.

Art. 6. The principal judge of the curacy, and the curate with three neighbors of probity to be appointed by the municipality of the district, shall meet at the house of the first, and shall receive the votes as they are given in, depositing them immediately in a small chest under three keys, which shall be distributed between the judge, the curate, and one of the aforesaid neighbors.

Art. 7. The vote may be given either verbally or in writing, open or closed, as may be most agreeable to the voter; in it he shall name such person for the office of elector, as he shall think proper.

Art. 8. The voter, after he has given in his vote, and if verbally, after its insertion in a schedule, shall retire; the judge shall attend particularly to this to prevent confusion and altercation.

Art. 9. If any one be charged at such election or afterwards, with either offering or taking a bribe, he shall immediately make verbal defence before the five judges of the section, the accuser and accused being confronted, and the charge being substantiated, he shall forever after be incapable of voting, and be ineligible to any office; false accusers shall suffer the same punishment as those they accused would have done, had the charge been substantiated.

Art. 10. The voting shall positively be concluded at the end of two days; the votes of each section shall remain shut up, and the following day the alcade, with two of the three associated neighbors, aforesaid, shall take the chest containing them to the seccion de numero, the curate then delivering that key which was entrusted to him.

Art. 11. The district of United Curacies, which shall include in its territory five thousand souls, shall be the seccion de numero.

Art. 12. If there should be no town in the district of the seccion de numero, the municipality of some neighboring territory shall designate the curacy, which shall be the head of the section, preferring always the most populous and deciding questions, which may arise in it.

Art. 13. To the head of the section de numero, shall be brought the chests of the *secciones de proporcion*, and they shall be received by the judge, the curate, and the three associated neighbors aforesaid, who opening them shall count the votes, declaring and certifying the majority: *all this shall be done publicly.*

Art. 14. Those chosen electors, shall be informed of their election, and shall immediately repair to the place where the electoral assembly is to be held.

CHAPTER 5.

Of the electoral assemblies.

Art. 1. The electoral assembly shall meet in the town house of the city or town, which has a municipality, where they shall assemble on the day appointed according to distance and other circumstances, without delay.

Art. 2. The governor, lieutenant governor, or subdelegado, who may be at the head of the municipality, shall preside at the first act of the electors, which shall be to nominate a president from among themselves to preserve order: he having the majority of votes shall be president, and upon his election, the president pro tem. shall give place to him and retire immediately.

Art. 3. The proceedings of the electoral assembly shall be put in writing by the notary (see Esecebano) of the municipality, and this

assembly shall only have the power of doing previously to the business for which they are chosen, such things as are necessary to establish the regularity and validity of its election, without occupying for such purpose, more time than is necessary of four and twenty hours.

Art. 4. It shall proceed immediately to the election of deputies for the congress, and the election shall result for the present, from a simple plurality of votes.

Art. 5. If the case should be such, that by the scattering of the votes, and adherence to them after the third voting, no simple majority results, then, those between whom there is an equality of votes, shall draw lots and this shall decide.

Art. 6. No elector shall vote for himself; within three days the election shall positively be concluded, and the result published, the president shall immediately inform each person selected of his election, transmitting a proper certificate authenticated by the notary of the fact.

Art. 7. As the number of deputies to form the general congress must depend upon the census spoken of in article 1, chap. 4, there shall be such regulation, that for every fifteen thousand souls, there shall be one representative named.

Art. 8. Should there be any fractions, the following rules shall be observed: 1. If in the seecion de numero, there should be any fraction not exceeding two thousand five hundred souls, only one elector shall be voted for, but if it exceed that number, two. 2. If in the district of fifteen thousand souls, which each deputy shall represent, there should be any fraction exceeding seven thousand, and five hundred souls, there shall be named for them in the electoral assembly *one* deputy; but if the fraction should be less, they shall not have such additional representative; but be considered as represented by the deputies of the provinces.

Art. 9. Each province may lessen the number of its representatives, conferring the necessary powers, and giving the proper instructions to those they may deem sufficient, if the want of sufficient funds, distance, or other just cause, prevent their naming the number adequate to their population, with the express condition that in such powers, the cause of the diminution be stated.

Art. 10. No one while in the office of representative, shall hold any other public office, employment, or commission; if he accept any other, he shall lose the first; but if his constituents, after his so losing it re-elect him; he may in this case hold the two offices, exercising the last by deputy.

SECTION VI.

Of the army and navy.

CHAPTER 1.

Of the marine and regular troops.

Art. 1. In all that relates to the naval forces, the last ordinance of marine (ordinanza de marina) shall be observed, so far as it is conformable to the actual circumstances of the state.

Art. 2. The director shall have the whole military authority, and be commander in chief of the navy, the army, and the militia: he shall appoint a commandant of each, the Estado, mayor general, serving at present in lieu of them.

Art. 3. The provision in article 3, of the limits of the executive power, shall extend equally to the chief of the Estado, mayor general, and the generals of the army.

Art. 4. New regiments shall not be created, while those already created are not filled up.

Art. 5. The supernumerary officers of all descriptions, who at different epochas of the government, may have been dismissed from active service, either with reason or without, (which shall be ascertained,) upon declaration of their readiness to serve, shall be classed for appointments to vacancies in the regiments, without prejudicing those actually serving in them, or to other vacancies suitable to the circumstances of the individual.

Art. 6. If the supernumeraries in the preceding articles mentioned, should have received whole pay, or half, or one third, the directors of the state, shall require from the officers of the treasury, a catalogue of them, and the orders that may have been received for their payment; correcting them according to what results from the provision in said preceding article.

Art. 7. Until there be a complete regulation on this head, there shall be no appointment to offices of profit except those of escala natural in the regiment, upon the recommendation of their respective chiefs, according to the ordinance and through the medium of the estado major general, to whom the scale of classification, mentioned in article 5, shall be sent, that it may appear who are in service and who are not.

Art. 8. Until the establishment of the uniform systems mentioned in art. 17 of this chapter, the tribunal militar, established under the regulation under which it was governed, shall continue in lieu of the ancient *commission;* it being the duty of the defender of the accused to be present at confession.

Art. 9. That article of a prior regulation, which imposes upon deserters the punishment of death for the first offence, and which de-

clares that the plea of pay being withheld shall not avail, being abolished, in future, the *ordinanzo miletar* shall govern, and the punishment it provides for cases of desertion be alone imposed.

Throughout the state shall be observed the ordinance of 30th January, 1814, as to the supplying vacancies caused by desertion.—(*Note—The following art. was in the original, erroneously marked the 10th.*)

Art. 11. Governors, lieutenant governors, and sudelegados, shall be ever watchful for the apprehension of deserters, if they fail in this particular, it shall be one of the first duties when residencia* takes place, to inflict upon them exemplary punishment.

Art. 12. If neglect in this particular be proved against them before their offices expire, it shall be the indispensable duty of the director to remove them,

Art. 13. The alcaldez de hermandad and pedancas de las curatos, for like neglect, shall incur for the first offence a fine of one hundred dollars, to be applied to defraying the expenses of recruiting; and upon the repetition thereof, be removed.

Art. 14. The soldier who shall inform against a deserter, shall, upon his apprehension, be rewarded with ten dollars, and the abatement of two years of his term of service.

Art. 15. The subaltern officers shall read frequently to the soldiers of their respective companies, the ordinances of the penal laws from art. 26 to art. 43, inclusive, of Tit. 10, Trat. 8.

Art. 16. This ordinance being in a great measure altered, shall be without delay reduced to order by another which shall be formed by a military commission of three individuals, to be named by the director, associated with the asesor general of war, and being framed, shall be transmitted to congress for its sanction.

Art. 17. The director shall also name another commission of five individuals, military men of the most extensive information, who shall form a uniform military system, embracing the regular forces of the state and national militia.

Art. 18. He shall also appoint another commission composed of as many individuals as he thinks proper, to form a uniform system for the regulation of the marine, in all branches embracing arrangements as to ports, the establishment of nautical and mathematical schools, and transmitting it when formed to congress.

Art. 19. He shall establish in the capital a permanent academy, appointing its president for the instruction of cadets of the regiments of infantry and cavalry, upon a plan to be furnished by the estado mayor general, and approved by the director.

* Residencia—According to the Spanish law, officers at the expiration of term of service, are bound to reside for a certain period in the places where they exercised their offices; to give an opportunity to proceed against their malversations.

CHAPTER 2.

Of the national militia.

Art. 1. Every individual of the state being in America, every foreigner enjoying the right of suffrage, every European Spaniard, with letters of naturalization, and all free persons of African or mixed blood, inhabitants of the cities, towns, villages, and country, from the age of fifteen to sixty, unless incapacitated by infirmity, are soldiers of the state, bound to support the independence which has been declared

Art. 2. From the aggregate of all these inhabitants shall be formed with all possible speed, in all the respective provinces by the respective governors, lieutenant governors, and subdelegadoes, a body of national militia of infantry or cavalry, according to the quota of the province, and upon that footing as to force, which the director shall determine by regiments, battalions, squadrons, or independent companies, subject to the regulation of the 14th, January, 1801, made for the provincial militia, the estado mayor general giving information of variations and additions when deemed necessary.

Art. 3. The governor, lieutenant governor, and subdelegado of each province shall be commander in chief of its militia, while in office, and shall make all recommendations for promotion to the director, through the medium of the estado mayor general, in the department of Buenos Ayres: the governor shall in like manner command the militia, if he be a military man, if not, the commandant general de les armes shall command.

Art. 4. In the national militia shall be included all persons who have obtained commissions in it, since the date of the last cited regulations, being Americans or European Spaniards, with letters of naturalization.

Art. 5. It shall be one of the first duties of the governors, lieutenant governors, or subdelegados to preserve the national militia in a state of good discipline.

Art. 6. The principal object of this militia shall be to defend the state and to aid and reinforce the army of the line, when it shall be necessary.

Art. 7. When it may be necessary to detach a portion of the militia to reinforce the army of the line, the above mentioned chiefs shall do so with persons having no just ground to claim exemptions from the service, supplying immediately the place of the force detached in order to preserve entire the national force of the province.

CHAPTER 3.

Of that portion of the militia termed civicos.

Art. 1. Of the inhabitants of the several cities, towns, and villages shall be formed the corps of civicos by regiments, battalions, or independent companies.

Art. 2. This militia shall be solely of such as have property worth one thousand dollars at least, of the owners of open shops, and of all who exercise a trade, or pursue some public occupation.

Art. 3. In the department of Buenos Ayres, the civicos shall be subject to the Cabildo in subordination to the supreme director.

Art. 4. Of the residue of the inhabitants the Cabildos shall have the command of as many as they can organize without prejudice to what belongs to the governors, lieutenant governors, and subdelegados in virtue of their offices.

Art. 5. The appointment of officers, to captains inclusive, shall be made by the director upon the recommendations of the chiefs of regiments, which the Cabildos shall transmit through the medium of the estado, mayor general. The Cabildos shall by themselves recommend for officers of higher grades.

Art. 6. Those persons only of the regular army incorporated as chiefs, as sergeants or corporals for the purpose of instruction, shall be out of the ordinary civil jurisdiction in order better to prevent unjust imprisonment.

Art. 7. The principal duties of the civicos shall be to maintain good order in the towns, to assist in the administration of justice and defend the country.

Art. 8. No soldier of the army, of the line, or militia, national, or civic, to whom arms have been entrusted, shall use them factiously against any inhabitant of the state.

Art. 9. The persons thus misusing them, shall be tried and punished within the third day, by the judge to whom the cognizance of the offence belongs, for the satisfaction of public justice, deeply interested in personal security.

SECTION VII.

Personal security and the liberty of the press.

Art. 1. For those actions offending neither against public order nor interfering with private rights, men are solely accountable to God.

Art. 2. No inhabitant of the state shall be obliged to do that which the law does not clearly and explicitly command, nor restrained from that which it does not in like manner prohibit.

Art. 3. Crime is solely the infraction of laws in full force, since, without this requisite, they are not obligatory.

Art. 4. No inhabitant of the state shall be punished without previous legal sentence, and regular process.

Art. 5. All orders that shall be issued by magistrates in the regular exercise of authority, to promote public order, or to regulate the business pertaining to their office, shall be in writing.

Art. 6. Excepting orders relating to the army in matters belonging to the service, as to which the ordinance of the provinces of the Union shall be observed.

Art. 7. Every citizen may keep in his house powder, and arms, for the defence of his person and property, in those urgent cases in which he cannot avail himself of the protection of the magistrate.

Art. 8. The government shall not take possession of such arms unless the public defence should require them, paying their just value.

Art. 9. The house of a citizen is a sanctuary, which it shall be a crime to violate; it shall not be forcibly entered except in case of resistance to legal process.

Art. 10. The right of forcible entry, given by art. 9, shall be exercised with moderation, personally by the judge issuing the process, and in case of his being utterly unable to act in person, the order delegating the power, shall be in writing, with all necessary specifications, a copy being given to the individual when apprehended, and to the owner of the house, should he so require.

Art. 11. No citizen shall resist the arrest of his person or the seizure of his goods when decreed by a competent magistrate, but he shall have the right of claiming the full benefit of the provisions in favor of personal security, contained in chap. 3, sect. 4, of this provisional regulation.

Art. 12. Every man shall have the liberty of remaining in the territory of the state, or departing therefrom as he thinks proper, so long as the public security is not thereby endangered or its interests prejudiced.

Art. 13. The preceding provisions in favor of personal liberty shall never be suspended.

Art. 14. Except in those extreme cases in which the public security may require such suspensions; the public authorities driven by so lamentable a necessity to this measure, shall give an account of it to congress, who shall examine into its cause, and the time of its duration.

CHAPTER. 2.

Liberty of the press.

Art. 1. The decree concerning the liberty of the press, which was issued Oct. 26th, 1811, and which is incorporated in this chapter shall be observed.

Art. 2. To facilitate the use of this liberty it is declared that any individual, be he native or foreigner, may freely erect printing presses in any city or town of the state, with this sole condition, that he shall give previous information to the provincial governor, lieutenant governor, and Cabildo, and that every thing printed shall bear the name of the printer, and of the place where the press is erected.

Art. 3. The intendentes policia, shall be particularly careful that in periodical works, and public papers, the greatest possible decorum shall be preserved, without failure of the respect due to magistrates, to the public, and to individuals.

Art. 4. In cases of violations of article 3d. it shall be the duty of the said intendentes to give notice to the tribunal of the liberty of the press, which conformably to the laws establishing and regulating it, shall scrupulously examine the matter.

Decree of the liberty of the press, of October 20th, 1811.

Art. 1. Every man may publish his opinions freely, and without previous license, (previa censura) all laws and regulations contrary to this liberty shall be of no effect.

Art. 2. The abuse of this liberty is a crime, when it invades private rights, its prosecution belongs to the persons interested, and to all the citizens when it endangers the Roman catholic religion, the public tranquillity, or the constitution of the state. The magistrates having cognizance shall impose the punishment according to law.

Art. 3. To guard against abuses in the classification and graduation of crimes of this kind, there shall be created a body of nine individuals with the title of protectors of the liberty of the press. In order to its formation the Cabildo shall present a list of fifty respectable persons not employed in the administration of the government, from these selections shall be made according to plurality of votes. The electors shall be the prelado eclesiastico, alcalde de primer vote, sendico procurador, fiscal de la camera. and two respectable persons of the vicinity, nominated by the Cabildo. The escabano de pueblo shall certify the election, and respective commissions which shall be delivered to the elected without loss of time.

Art. 4. The power of these protectors shall be limited to determining whether or not there be criminal matter in such publications as may be submitted to them. The punishment of the crime, after the evidence is declared, shall belong to the magistrates. The protectors shall hold their offices for one year, at the expiration of which there shall be a new election.

Art. 5. The third of the votes in favor of the accused, shall be a sentence of acquittal.

Art. 6. Any party interested appealing, the protectors shall chuse by lot, nine individuals of the forty-one remaining on the list,

out of which they themselves were selected, these shall review the matter, and their sentence, if in favor of the accused, shall be irrevocable. In cases of challenge for just cause, the places of the challenged shall be supplied in the same manner.

Art. 7. The same method shall be followed in the provincial capitals, substituting for the Prior de Corsulado, the Deputado de comercia, and for the Fiscal de la Camera, the Promotor Fiscal.

Art. 8. Works which treat of religion shall not be published without scrutiny by the diocesan. In case of accusation, the work shall be re-examined, by the same ecclesiastic, assisted by four of the protectors, and the majority of votes shall constitute an irrevocable sentence.

Art. 9. Authors are responsible for their works, or the printers, not making it appear to whom they belong.

Art. 10. This decree shall be observed, till congress otherwise determine.

FINAL CHAPTER.

General provisions.

1. The reglamento de policia (regulation of police) issued the 22d day of December, 1812, for the capital and province of Buenos Ayres, shall subsist for the present under the following limitations: The powers of the intendente de policia, shall remain vested as they are in the governor of the province; the three commissaries, with the powers and duties designated in the said regulation, shall continue for the present under the inspection of the governor, and among them seniority as to the possession of office shall alone give preference; except their salaries they shall receive no emolument for services performed in quality of commissaries. The governor shall undertake no work requiring expenditure of public money without previous consent of the Cabildo and the approbation of the director. Every payment shall be made according to the mode prescribed in the said regulation. No payment shall be made at the treasury without the approbation of the supreme director, and the treasurer shall replace money paid by him contrary to this article. The 3d, 4th and 5th articles, which establish an assessor, portero, and escribano de ramo, shall be repealed, the last office being exercised by a like officer of the general government. The 8th, 10th, and 14th, shall only have effect so far as they are compatible with personal security, liberty of the press, and other rights of man, which have been declared. The 41st, of the circular instruction to the alcaldes de bario, shall be observed so far as it is compatible with the chapter upon the liberty of the press. All the change that may have been made contrary to the said reglaments de policia, and to what the estatuto provisional, (provisional statute) of May 5th, 1815, in article 1, final chapter

of general provision provides, shall be amended, the office of four commsisaries last established being suppressed.

2. The Cabildos of the other cities and towns of the state, shall appoint a commission of four persons of the vicinity, of the best information and the greatest zeal for the public good, who, keeping in mind the said reglaments of the capital, shall form one suitable to the circumstances of the place, transmitting it to congress for their approbation.

3. Securities for the due discharge of duty shall be required from all officers, according to the nature of each office; the laws formerly requiring them being hereby restored. Those exercising offices, for the due performance of which security ought to be given, are peremptorily required to give it within six months from the date of this provisional regulation, the director and governors attending to this, with the privilege of taking four securities, each security binding himself for one-fourth of the whole amount.

4. To the officers of the treasury (ministras de hacienda, and the officers of the custom house, administradores de aduania) shall be restored the covecive jurisdiction for the recovery and collection of debts, certain and liquidated, in favor of the state.

5. The laws and decrees made by the last convention (asamblea) as to religious profession, shall be of no effect.

6. Contributions imposed in one province for its special benefit, shall not extend to the other.

7. All the provinces in the union, cities and towns, having Cabildos, may, without the necessity of obtaining permission, giving, however, previous information to the director, make all the establishments they may deem useful and promotive of their industry, prosperity, arts, and sciences, without prejudice to the friends of the state.

8. All those in possession of letters of naturalization, which have not been issued by the former general constituent assemby, by the present congress, or the Supreme Director for the time being, in virtue of the decree of 29th August, shall present them to the present one for ratification, should they deserve it, without which they shall be of no effect.

9. All the officers of the government, including the Supreme Director of the state and his secretaries, shall, upon termination of office, be liable to inquiry into their conduct, the director and his secretaries, before congress, the others before judges to be appointed by the congress, the last shall be liable to such secretary for four months after termination of office.

10. The present provincial regulation shall be observed throughout all the territory of the state, from the time of publication, which the director shall cause to be made in a convenient form. Those articles of the provisional statute (estatuto proviscina) passed

by the junta de observacion, not comprehended herein, being repealed, and all anterior laws, regulations, and decrees in opposition t. it, being in like manner repealed.

Sanctioned by the general congress, sealed with the provisional seal, signed by the president, and countersigned by his secretary, in Buenos Ayres, the third day of December, A. D. one thousand eight hundred and seventeen.

PEDRO LEON GALLO, President.

Doct. Jose Eujenio Eleas, Secretary.

H.

(Copy.)

The director (ad interim) of the state, in Buenos Ayres, to the citizens of all the provinces.

I could wish by means of a detailed manifesto, to explain to the people every step which has been taken for the purpose of establishing concord with the chief of the Orientals, and the difficulties which have constantly opposed thhmselves to so desirable an object; by this means, also, holding out a warning to all minds of the evils which must flow from these unfortunate differences. But for the present this is not possible, nor so necessary as the immediate communication to all of the results of our last negotiations.

No mystery has been attempted in this business, even the minutest particulars have been made known to all such as were desirous of being informed; but at a distance, every thing is liable to misrepresentation; it is therefore my duty to provide against it. For this purpose, I confine myself for the present, to the publication of the documents necessary for the information that may be desired, these will save me the trouble of a statement that may possibly deserve the imputation of being made with passion; while the citizens of all the provinces will thus be left at liberty to form their opinions according to the dictates of their reason, without being led astray by partiality.

It is notorious that I sent deputies to the chief of the Orientals, in order that we might fix upon some plan of establishing such an understanding and harmony, as would be sufficient to avoid reciprocal aggressions, until the general congress should be assembled, and arrange our differences on permanent principles.

The propositions reciprocally made, did not satisfy either; the decision was reserved for a future congress.

Such was the state of things, when there appeared in this city four deputies, sent from an assembly of the Orientals, and united with these, Cordova, Santa Fee, and Corientes, with official instructions from general Artigas, which authorized them to enter into stipulations. The documents subjoined, have originated from this procedure.

Finally, after refusing to sign the statement No. 2, of the document No. 3, they returned, giving assurances by word, that they went in peace; and they were answered, " peace be with you." People of the provinces, it is for you to judge; the case is yours, and your safety is the supreme law of the state.

(Signed) IGNACIO ALVAREZ.

Buenos Ayres, 8th August, 1815.

GREGORIO TAGLE.

Plan for the establishment of harmony, presented by the deputation of the chief of the Orientals, to the government of Buenos Ayres.

There shall be an union, offensive and defensive, between the provinces under the direction of the chief of the Orientals, and the government of Buenos Ayres.

The troops of Buenos Ayres which passed over to the eastern shore of the Uruguay, shall be considered as purely auxiliary, until the occupation of Monte Video; there shall be restored of what was carried away from that place, three thousand stand of arms, one thousand swords, twelve pieces of light artillery, of two's, four's, and sixe's. There shall be mounted on the fortifications, the number of pieces of artillery that may be requisite, the principal portion to be brass, with the necessary material for all and each of said cannon; nine gun boats, with all requisite supples: powder, fixed ammunition for cannon of every caliber, also for small arms, and fifty five thousand flints; one half of the mortars taken away; the bombs, grenades, with every thing for using them, together with the printing press.

To Santa Fee, there shall be delivered five hundred stand of arms.

To Cordova, a like number.

The remainder of the articles withdrawn from the Oriental province of the Uruguay, shall remain in Buenos Ayres as a deposit, for the purpose of aiding the other provinces, to be used at the instance of the chief of the Orientals, and for the aid of the province of Buenos Ayres itself, according to its future exigencies.

The deputation has the honor to state to his excellency, the director of Buenos Ayres, that they will cheerfully enter into any discussions, to which their propositions may give rise, with the magistracy of this capital, according to the 25th article of the 1st chapter, section 3, of the provisional statute.

(Signed) MIGUAL BARRIERO,
JOSE ANTONIO CABRERA,
JOSE GARCIA DE CASSIO.

Buenos Ayres, 3d July, 1815.

Official letter of his excellency the director of the state, to the chief of the Oriental.

The deputation sent by your excellency to this government, presented your esteemed communication of the 29th ultimo, which at the

same time that it served as the credentials of the mission, manifested the desire of conciliation which animates your excellency. I was indeed induced to expect from this, that the mission had been directed to propose more reasonable grounds of accommodation, than those offered by yourself to my deputies, Coronel Pico, and D. Riverola. Judging by my own heart, I considered the negotiation already ended. I requested the deputies to give me their proposals in writing, and the following day they reproduced in substance the same as before offered, with the addition of several supernumerary articles. I immediately took steps to assemble the authorities according to the provision in such cases of the 25th art. chap. 1st, sec. 3d, of the provisional statute, by whom the subject has been maturely considered, and the plan proposed anew on your part, duly weighed; they have resolved to give for answer, that the claims of your excellency ought to be left to the supreme judgment of the general congress of all the provinces: that if in reality, the sovereignty of this august body is to be recognized, it is proper to wait for its determination, which will irrevocably terminate our differences. We concurred in our private opinions how injurious to the common cause these discords must be, particularly in this important portion of the country; the sending to your excellency the before mentioned deputies was an act dictated by the necessity of coming to an amicable understanding, so that the expedition expected from the peninsula, should find us acting in concert, as I have expressly stated in my communication of the eleventh of May. In such circumstances it was plainly for the common interest that we should at least agree not to make war upon each other, even if we should be unable to agree upon any thing else; it never could be just to expose the fate of all the provinces by disputes between the Orientals and Buenos Ayres, for advantages reciprocally claimed over each other. But since the danger which threatened us is dissipated, let us await the decision of the supreme congress on our cause; if we are liberal in our principles, and are not disposed to wrong the other provinces, let us give them a share in the adjudication of rights, when it so properly belongs to them.

Buenos Ayres, by the sacrifices she has made, has been reduced to her present state of honorable poverty; her efforts were made as a member of the union, and as the capital of all; as a member, she has brought all her wealth into the common fund; as the capital, she has received contributions from the other members, without discrimination. But for none has there been so much expended as for Monte Video. Your excellency, in her name demands those articles which have been taken away, and generously bestows a thousand stand of arms upon Cordova, and Santa Fee, the remainder to remain in deposit, in this place, to be used at your instance (see intervention) to aid the other provinces. The difficulty consists in this, that if all the other provinces should follow the examples of the Orientals, and demand what they have contributed, Buenos Ayres will also come in for

a share, and it will be her duty to make an equal distribution of the property which has been saved in the general bankrupcy, to each creditor, according to the amount of his credit. But Buenos Ayres cannot be both party and judge; it is therefore evident that the next congress is the only tribunal for the decision of this important cause. Until then, (aspiring still to the praise of acting with the same moderation, you have shewn in the midst of the severe trials experienced in the cause of liberty, as you have observed in your communication,) your conduct will be such as to preclude the occurrence of unhappy contentions; while, on my part, I shall do nothing but to endeavor to prevent it. To this end, I have ordered a force to Santa Fee, with instructions to publish the proclamations herewith enclosed. The deputies of your excellency have experienced some detention, because having informed them of the measure before mentioned, I was apprehensive that they would hasten to your excellency in order to oppose the carrying it into effect with the necessary tranquillity. They have not with all persons observed the greatest prudence in their conversation, forgetful of their character in which they appeared, and of the frankness which they were received in this city.

I ought not to omit, on this occasion, to satisfy your excellency with respect to the surprise which you tell me in your letter, already noticed, of the 10th of July, was felt by you at my stating in mine of the 1st of the same month, that your excellency was unwilling to enter into details on the subject of the establishment of mutual harmony. This complaint, which, I confess, surprised me much, was made by your excellency in your communication of the 18th of June, brought by my deputation. Your excellency will please to examine the original, and I hope your excellency will not persist in asserting officially, what can thus be refuted. Let us not be intolerant because we happen to differ in matters of opinion. Athens and Lacedemon, under different forms of government, attained equal glory and felicity; we have differed as to what best suits us, we have not yet fixed on the kind of government that is to be adopted, and for this reason our differences appear to be interminable; so that in whatsoever mode the question is received, there is the greater reason for referring it to the decision of the general congress; we shall otherwise be at variance, without the possibility of coming to a compromise; may the day of its accomplishment, with the establishment of our ardently desired liberty, soon arrive.

(Signed) IGNATIO ALVAREZ.

Buenos Ayres, 1st August, 1815.

GREGORIO TAGLE, Secretary.

Official letter of Don Antonio Saens, to the director of the state, accompanied by the notes designated 1 and 2.

Most Excellent Sir,

I have entered into conference with the deputies of the chief of the Orientals, in pursuance of your excellency's instructions. I considered it expedient not to defer it until they should produce sufficient credentials from the congress of Paysander of which they declare themselves the deputies: it appeared to me that the informality of their powers ought not to stand in the way of the establishment of an honorable peace, when the stipulations might afterwards be legalized by confirmation; and as it is not possible for them to obtain regular from the congress which no longer exists, the adjustment may still be considered as made with the chief of the Orientals. After protracted debates, it was finally agreed that peace should be established, and that the Orientals should renounce their pretensions. Without a moment's loss of time, I proposed the establishment of its basis according to the principles agreed upon, and to sanction it by our signatures. But I soon found that in their conceptions it was not so easy to sign as to promise. They then delivered me the signed paper No. 1. I saw that it was not in my power to affirm it, on account of the doubts which it presented, and the interpretations of which it was susceptible, the simple proposition which it contains being conceived in vague and indefinite terms, and the authority of the Supreme Director narrowed in an offensive manner, placing it even below that of the chief of the Orientals, and being changed into the simple government of Buenos Ayres; and, finally, because it is not couched in the terms used amongst civilized nations. For these reasons I presented them the note No. 2, and requested their sanction. They replied, that the articles were conformable to what had been argued upon, in our conferences, but that they were all consequences of the single article establishing peace, &c.; they said they would religiously pledge their faith and honor, for the true performance of them, but that they were unwilling to sign the paper; this is the only reason they have thought proper to give for a conduct so strange. They dropt something, it is true, about its not being expedient to sign at the present moment, although just to do so, and that they would give an explanation of the reasons more fully on their return home. Such have been the subterfuges with which they have evaded signing the accommodation which I proposed them, and such also is the result of our protracted conferences. The most earnest and energetic representations have been unavailing to induce them to desist from a conduct so injurious. The conferences at length closed, without effecting any thing.

I have the honor to be, &c.

(Signed) ANTONIO SAENS.

Buenos Ayres, 4th August, 1815.

To the supreme director.

No. 1.

The citizens Don Jose Garcia de Cassio, Don Jose Antonio de Cabriera, Don Pasqual Andino, and Don Miquel Barriero, deputies from the congress of the Orientals, to treat of peace with the government of Buenos Ayres. have terminated a conference with citizen Don Antonio Saens, authorized by his excellency for that purpose, with this only proposition:

There shall be peace between the territories under the government of the chief of the Orientals, and his protection, and the government of Buenos Ayres.

(Signed.) MIQUEL BARRIERO,
DON JOSE GARICIA DE CASSIO,
DON PASCAL ANDRINO,
JOSE ANTONIO CABRERA.

Signed at Buenos Ayres the 3d of August, 1815.

No. 2.

The commissioner, on behalf of his excellency the Supreme Director of the state, appointed to treat of peace with the four deputies, who have come for this purpose from Paysander, sent by general Artigas, requires, that the sole proposition of peace, which they have subscribed, should be reduced to a formal, and solemn treaty, as expressed in the following articles.

First. There shall be perpetual peace, friendship, and alliance between the chief of the Orientals, and the government of Buenos Ayres.

Second. The same shall be established between the citizens who reside under the government and protection of each.

Third Both territories and governments shall be independent of each other.

Fourth. The Parana shall be the line of demarcation between them.

Fifth. Each of the contracting parties shall renounce all claims to indemnity, for what may have been attributed to the common cause.

Sixth. They likewise oblige themselves to send deputies to the congress of Tucuman.

Seventh. The vessels which have left Buenos Ayres for Monte Video, or other parts under the chief of the Orientals, shall be permitted to return.

Eighth A veil thall be cast over the past, and no one be persecuted for his conduct heretofore.

Ninth. The four deputies of the congress of Paysander, shall produce sufficient powers to ratify the treaty.

Tenth. The present treaty shall be ratified by the competent authorities in three days, and by the congress assembled at Paysander, within twelve.

(Signed) ANTONIO SAENS.

Buenos Ayres, 3d August, 1815.

Another official letter from his excellency, the director of the state, to the chief of the Orientals.

After having delivered to the deputies from your excellency the communication dated the first of the present month, advising you of the result of the last negotiations, they proposed, that some mode should be adopted to render negotiation less difficult. I immediately took steps for this purpose, in order that the deputies might depart in peace. and that the same should be with this government. I repeated that I should be unchangeable in my principles of moderation, and that I would preserve all possible harmony as far as was compatible with the honor and interests of the provinces over which I have the honor to preside. I expect the like sentiments on the part of your excellency, and in this confidence, I pray you to permit the return of the vessels which have left this river in good faith to the ports of the eastern shore, and which suffer great prejudice in consequence of the detention. In this case, justice will acquire the credit of generosity, and variance of opinion on the part of the governments will be less calamitous to the unfortunate citizens who have no part in their discords.

(Signed) IGNACIO ALVAREZ.

Buenos Ayres, August 7th, 1815.

Gregorio Tagle.

To general Jose Artigas, chief of the Orientals.

I.

General Artigas to the supreme director, Pueyerredon.

(Translation.)

EXCELLENT SIR,

How long does your excellency mean to sport with my forbearance? Eight years of revolution, of privations, of dangers, of reverses, and misfortunes, ought to have sufficed to establish the rectitude of my intentions, and the character of my government; the dignity of the Oriental people has more than once shone forth: they ought to know the delicacy I have manifested in reference to the inalienability of their sacred rights; and your excellency has the boldness to insult them! Your excellency is doing every thing in your power to provoke my moderation; the thought of this alone should cause your excellency to tremble. However specious may be the motives alleged in support of such conduct, they are incompatible with the general interest assailed by the Portuguese aggression. Your excellency is guilty of a criminal conduct in repeating those slanderous insults under cover of which the enemy believe the success of their invasion to be certain.

It is in vain for your excellency to attempt a display of the generosity of your sentiments; the course of events alone is sufficient to refute the attempt, and these prove that your excellency is more zealously occupied in embroiling the nation, than inspiring freemen with the energy which should animate them against tyrants, otherwise, how could your excellency have ventured to publish the pretended recognition of the government of Buenos Ayres by the Orientals? A crime of so revolting a nature could only be perpetrated by the most impure hands; and your excellency has had the audacity to commit it! But it was in conformity with the mysterious plans of your excellency to destroy the firmest rampart opposed to their execution. A people enthusiastic in the cause of their liberties must be taken by surprise: the dangers are every moment increasing, and the recognition before mentioned, was brought in aid of your excellency's designs for our common destruction. Your excellency knows sufficiently well the dignity of my character, and that the unjust reproaches heaped upon me are the offspring of your perfidy: and this is the foundation upon which your excellency rests your disgraceful neutrality! But it is in vain to imagine, that this paltry excuse can justify your excellency in the treachery of supplying the enemy at Monte Video with wheat, while besieged by me It is also a fact little to the honor of your excellency, that you have made arrangements for a third expedition

against Santa Fee, with a view to foment the intrigues of the Parana, and promote insurrection on the eastern shore. The same unfriendly disposition induced your excellency to protect the Portuguese who fled from Seriano, sending them back to their general, while instead of practising a similar generosity toward the chief of the Orientals, you did not think proper to return the arms and other articles, which those persons carried with them in the vessels on board of which they fled. It is thus that your excellency has endeavored to seize a favorable moment to light up the fire of discord, to plot with the Portuguese, and excite disaffection in the regiment of Libertos, seducing them to your side, and receiving them in triumph: an act of so gross a character cannot be mentioned without scandalizing the perpetrator; and your excellency is still the Supreme Director of Buenos Ayres.

An officer, openly in the service of Portugal, could not have acted more faithfully for his king; and to the impartial mind it must have been evident that your conduct was dictated by motives much more black, than the cold neutrality which you allege. But whatever may be the merit of our respective criminations, sound reason declares them to be out of place, in the presence of an ambitious stranger; more than once have I exhibited an example to your excellency, of my determination to act up to this principle. Alas! It is but too true, that the road of virtuous patriotism, is as rough as the name of country is delightful. Without proving a traitor to your own understanding, it is impossible for your excellency to be indifferent upon the subject of the detestable incursion of general Lecor, into our territory. Your excellency has already protested against his conduct, and how will your excellency deny the work of your own hands? Are not the Portuguese of this year, the same as of the last? Do not the same complaints exist now as then? Has not your excellency outraged the people of Santa Fee, and in them, those of the other provinces? Confess sir, that you have no other object in putting on this affected neutrality, but to conceal your intrigues. The Supreme Director of Buenos Ayres, neither can, nor ought to be neutral. Did not your excellency accuse the Portuguese general of violating the laws of civilized warfare, in the threat he held out against the Orientals? And how can this be reconciled to the character of a neutral? Be then a neutral, an indifferent spectator, an enemy; but let me tell you to beware of the just indignation of those, who having sacrificed every thing to the love of liberty, fear nothing but its loss.

Renounce the despicable expectation that on the ruin of the Orientals you may one day raise the lofty column of your glory, and our degradation. The greatness of the Orientals is only to be compared with itself. They know how to meet dangers, to subdue them, and to be reanimated by the presence of their oppressors. I, at their head, shall march wherever danger threatens. Your excellency knows me and ought to fear the justice of my vengeance. Your excellency does not cease to repeat insults, offensive to my moderation, and to the

discredit of the common cause. Your excellency ought not to think me insensible. While I am in the field, engaged in a bloody conflict with the invaders, you are laboring to weaken our force by mingling with it an affair, which does not fail to excite well founded suspicions. While I am engaged in opposing the Portuguese, you are taking measures to favor them: would your excellency in my place have regarded these things with a serene countenance? I acknowledge to your excellency that I have made a sacrifice of my feelings to my country which claimed a concentration of all its forces. It was this which induced me to seek a peace with your excellency, while you were endeavoring to provoke me to a war. I opened the door, which, for weighty reasons, I ought to have kept shut. I sent back to you the officers taken prisoners, without subjecting them to the sufferings which ought to have followed the crime of their violent, and cruel aggression against an innocent people. Your excellency cannot deny those acts of generosity, and which, notwithstanding your repeated promises of reconciliation, you have not been able to equal.

It is true your excellency did send some supply of arms to the Parana, but without giving me the least intimation of it: this deceitful act had for its object, the exculpation of your excellency from the charge of indifference, in the eyes of the provinces, and evinces the fertility of your machinations; but do not think that this shallow artifices will enable you to escape. We have just experienced the effects of this generosity, in the disturbance of the Parana, and Entre Rios. Can it be concealed from the provinces with what views these arms were distributed, when done without the knowledge of the chief? Let me pray your excellency to cease your generosity, if such are to be its effects: let me beseech you to refrain from aiding the country, if you can do nothing but obscure its splendor: by such hateful scenes? No, sir, it is not from you, that our country can expect to be freed from the ambition of the Brazilian king: instead of boasting of having saved the country, your excellency has nothing to boast of, but of having tortured my patience to the utmost point of endurances. I have suffered for my country, and yet, your excellency dares to criminate me in public, and in private. I have no need like your excellency of having defenders; incontrovertable facts speak in my behalf.

Sir, I am still ready to enter into an amicable adjustment of our difference, so as to unite our forces against the Portuguese; and I repeat the offer which I made in June last. I then requested, that deputies should be sent, with full powers to draw closer, and closer, the ties of union. Your excellency could not deny the importance of this request, and engaged to send them. In consequence of this, I announced to the people the pleasing hope of reconciliation; but until the present day, nothing but disappointment has been the result; your excellency, it seems, has had the affrontery to announce that deputies were expected from the eastern shore, at Buenos Ayres.

It is but little becoming in your excellency to frustrate so desirable an object, and aftewards calumniate me: this is the last insult I am willing to bear, and henceforth must request your excellency to be silent. Such imposture is not less injurious to the reciprocity of the country, than insulting to me. In opposing the reconciliation of the two shores, your excellency can be regarded in no other light, than as a criminal, and unworthy of consideration.

Your excellency by this time must be wearied in hearing truths, but you ought to be more so in giving cause for them. They are stamped with the characters of sincerity and justice. Your excellency has occasionally provoked my moderation: my wounded honor will demand satisfaction. I speak for once and for all, your excellency is responsible before the altars of the country, for an inaction incompatible with its interests, and the day will, when its justice will call you to a severe account.

In the mean time, I challenge your excellency to appear with me in front of the enemy, and to combat with a courage which will display all the virtues that render glorious the American name.

I have the honor to salute you excellency with cordiality and respectful consideration.

FERNANDO JOSE ARTIGAS.

Purification, November 13, 1817.

J.

TRASLATION.

Extract from the Gazette of Buenos Ayres of the 5th of February, 1818.

INVASION OF THE PORTUGUESE.

In the Gazette of the 1st of December last, we published the official letter of his excellency the director, to the Portuguese general in the Banda Oriental. requiring him to cease his march into a territory, whose union with the United Provinces of the South, had not been renounced, but accidentally suspended. The Portuguese general, in his reply, denied the principles on which this protest was founded, insisting on the pretext which had induced his court to a rupture so unjustifiable; but as at the same time, he referred for his justification to the orders of his prince, from which he was not at liberty to depart, there were reasons to suspect that from the slowness of his operations, and other circumstances, that he might possibly have received instructions to suspend his marches, and evacuate the country unjustly invaded. This doubt has disappeared with the event, and the occupation of Monte Video, has been preceded by an action, in which that precious soil has been moistened by the blood of its sons. We shall hereafter make some further observations upon this conduct; at present we shall insert the reply of the Portuguese general, as also an official letter of his excellency the director, transmitted by Don Manuel Roxas, who sailed for Monte Video the 2d of the present month.

Official letter of the General of the Portuguese army, in the Banda Oriental, in reply to that of this government, published in the Gazette of the 1st of December last.

MOST EXCELLENT SIR,

Taking into consideration what you have been pleased to communicate to me in your official letter of the 13th of October last* past, delivered to me by colonel Vedia, on the 24th of this month, November, I can assure your excellency, that my marches have for the r sole object, the removal of the germ of disorder from the frontier of the kingdom of Brazil, and the occupation of a country abandoned to a state of anarchy.

* This letter has been mislaid.

This wise and necessary measure, ought in no respect to excite uneasiness in the government of Buenos Ayres, since it has been executed in a territory, which has declared itself independent of the western side.

The most scrupulous regard has been paid to the armistice concluded on the 26th of May, 1812, establishing amity between the two countries; and in case of being attacked, I shall only act on the defensive, until the receipt of further orders from my king and sovereign.

The proclamation which I enclose to your excellency, [the same which has already appeared in our newspapers,] will make known the spirit in which I come to this unfortunate country by the commands of my sovereign.

I continue my marches, which can only be suspended by order of the king, my sovereign; and it will shortly be in my power, to manifest to your excellency the good faith of my military operations, by a better opportunity and from a nearer point.

I thank your excellency for the occasion you have afforded me, of being acquainted with colonel Vidia.

God preserve your excellency.

Head-quarters, in Paso of San Miguel, 27th November, 1816.

CARLOS FREDERICO LECOR,

Lieutenant General.

Illmo. and Exmo.
D. Juan Martin Pueyrredon.

Reply to the foregoing letter by the Supreme Director.

MOST EXCELLENT SIR,

The suspension which I observed in the operations of the army under your command, after the receipt of your reply of the 27th of November last, together with the proclamation which it enclosed, gave me reason to hope, that your excellency doing honor to the armistice concluded the 26th of May, 1812, between his H. F. M. and this government, whose violent infraction I protested against under date of the 31st of October last, would refrain from giving rise to the horrors of war; or at least, that you would enter into some temporary arrangement, until the explanations of your court could be obtained, in an affair considered not less important to the inhabitants west of the Urugay and the Parana, than to those of the Banda Oriental. Your excellency, notwithstanding, at an unexpected moment, hastened your marches; and, under the sole justification of force, have gone so far as to oppress with your arms, the place

which you now occupy, but without any other effect than to convince you of the abomination with which its inhabitants regard every foreign yoke.

The assurances which your excellency presents to this government, in your beforementioned official letter, far from affording tranquillity, only excites our alarm; and the United Provinces, in the last steps of your excellency, can discover nothing but the sad presage of the evils, which threaten them, should they remain insensible to the aspirations of a foreign power, over a constituent part of the nation.

In order to demand an explanation of this aggression, upon the rights of the provinces, so notoriously unjust, I have determined to send an envoy extraordinary to H. F. M. as also to learn the origin and object of a war, which will be provoked with a state at peace, in order to secure the immunity of the Banda Oriental.

Until the reply of H. F. M. shall have been received, I hope your excellency will not prosecute the war in that territory, but immediately suspend the operation of your arms, under a provisional armistice, which will be entered into by means of a person whom I shall send with sufficient authority, so soon as your excellency will inform me of your willingness to meet my proposal, as I hope will be done by the hand of colonel Manuel Roxas, who is the bearer of this communication.

If your excellency, in strict obedience to the orders of your sovereign, under these extraordinary circumstances, should continue the war, your excellency will be responsible to humanity for the blood that will be shed; and the impartial world will justify the means of indemnity, that will be taken for the sacrifices of conquest, protesting, as I do, against all usurpation of territory, comprehended within the limits recognized before the opening of the campaign of your excellency, and beyond the frontiers of the kingdom of Brazil. God preserve your excellency many years.

JUAN MARTIN PUEYRREDON.

House of the government of Buenos Ayres,
1st February, 1817.

GEN. FREDERICO LECOR.

NOTE.—*Documents C, K, and L, are omitted.*

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